United Nations S/PV.6472

Security Council

Sixty-sixth year

Provisional

6472nd meeting

Friday, 21 January 2011, 10 a.m.
New York

President:	Mr. Barbalić	(Bosnia and Herzegovina)
Members:	Brazil	Mrs. Viotti
	China	Mr. Wang Min
	Colombia	Mr. Osorio
	France	Mr. Araud
	Gabon	Mr. Moungara Moussotsi
	Germany	Mr. Wittig
	India	Mr. Hardeep Singh Puri
	Lebanon	Mr. Salam
	Nigeria	Mrs. Ogwu
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Churkin
	South Africa	Mr. Sangqu
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Ms. Rice

Agenda

Post-conflict peacebuilding

Institution-building

Letter dated 10 January 2011 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General (S/2011/16)

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11-21268 (E)

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The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

Post-conflict peacebuilding

Institution-building

Letter dated 10 January 2011 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General (S/2011/16)

The President: I would like to welcome the presence at this meeting of the Secretary-General, His Excellency Mr. Ban Ki-moon.

Under rule 37 of the Council's provisional rules of procedures, I would like to invite the representatives of Afghanistan, Argentina, Armenia, Australia, Bangladesh, Belgium, Costa Rica, Croatia, the Dominican Republic, Egypt, Japan, Mexico, Morocco, Nepal, New Zealand, Pakistan, Peru, the Republic of Korea, Serbia, Slovenia, Timor-Leste, Turkey, Uganda, Ukraine and the United Republic of Tanzania to participate in this meeting.

On behalf of the Council, I warmly welcome the Deputy Prime Minister of Timor-Leste, His Excellency Mr. José Luís Guterres.

At the invitation of the President, the representatives of the aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: Under rule 39 of its provisional rules of procedure, I invite His Excellency Mr. Peter Wittig, Chairperson of the Peacebuilding Commission and Permanent Representative of Germany.

Also under rule 39 of the Council's provisional rules of procedure, I invite Mr. Peter Schwaiger, Deputy Head of the Delegation of the European Union to the United Nations, and Mrs. Alice Mungwa, Chargé d'affaires of the Office of the Permanent Observer of the African Union to the United Nations.

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2011/16, transmitting the concept paper on the item under consideration.

I now invite the Secretary-General, His Excellency Mr. Ban Ki-moon, to take the floor.

The Secretary-General: Mr. President, thank you for initiating today's special debate. Bosnia and Herzegovina's own transition is considerable. Your country has rapidly moved from recipient of international assistance in a conflict and post-conflict environment to contributor to international peace and security as a member of the Security Council. I applaud your readiness to create a platform to share experiences in institution-building and to strengthen our common efforts.

Building effective and legitimate institutions is a difficult task, even under the most favourable conditions. It presents even greater challenges in post-conflict situations. Unfortunately, the track record of international support to institution-building is mixed. We can do better.

Institutions can be critical in sustaining peace and reducing the risk of relapse into violence. Building legitimate and effective institutions that respect and promote human rights therefore must be a central element of the overall peacebuilding effort.

This open debate offers an important opportunity to review the Council's own role in this area and the lessons we have learned. Experience suggests that there are three major lessons we need to apply to our collective efforts.

First, we need to reinforce national ownership and leadership and build on existing institutions. I speak not only of national Governments or core State institutions, but also of local governments, affiliated bodies, communities, the private sector, women's groups and other civil society actors.

Responsive and inclusive institutions can be built only by national actors, using their knowledge of the context, the institutions that do exist and the root causes of conflicts. International assistance has to build on what is already there and can help by identifying, protecting and nurturing latent national capacities. The ongoing review of international civilian capacity is guided by this principle. International capacity assistance should mentor national capacities, never substitute for them.

More nimble and agile systems are also required, including stronger partnerships that can provide the most appropriate civilian capacity, particularly from developing countries and among women. Access to reliable, early and flexible funding will also advance this goal.

Secondly, we must avoid one-size-fits-all solutions. Attempts to impose an outside model on a post-conflict country can do more harm than good. Each country's institutions develop on their own trajectory and at their own pace. They should be allowed to develop incrementally and with a certain level of experimentation to learn and change. Similarly, institutional change should not be approached as a technical exercise. Rather, it should be viewed and pursued within the broader context of a country's political processes, development and social change.

In Guinea-Bissau, we have found that weak institutions at multiple levels remain one of the main causes of political instability and the lack of socio-economic development.

Institutions are not just bricks and mortar. They are also about informal norms and values, trust and social cohesion. Public confidence in the police, for example, is required for reformed police forces to be effective and to regain authority. Shared norms are necessary to enable legal systems to apply the law equally to all, including different ethnic groups, minorities and women. Respect for international standards, including human rights law, will support public trust in institutions.

Building these intangible qualities and capacities and addressing public perceptions are particularly important in post-conflict societies. International assistance can sometimes facilitate such change, but only if it is highly sensitive to political and social dynamics and how they evolve over time.

Thirdly, institution-building should start early and be sustained not only for years, but decades. In the short term, early and tangible progress needs to be made in a few priority areas to restore confidence and increase the legitimacy of national institutions. Such gains could include providing security in key areas of the country, increasing access to justice systems or expanding health and education services. Quick and focused capacity development can enable key institutions to begin functioning again. Peacekeepers, development and humanitarian actors can play an important role in this regard.

At the same time, premature reform efforts can be risky, particularly if they are taking place under a short-term transitional Government and before a first post-conflict electoral process. Striking the right balance between short- and long-term efforts is critical — and so, too, is the linkage between the two. International efforts have often failed to recognize that building effective institutions is a long-term effort, even in relatively stable conditions. Some progress can be made in three to five years, but expectations need to be realistic. This, of course, has implications for the Council and the missions it mandates.

In recent years, we have seen a marked increased in institution-building mandates from the Council for peacekeeping operations and political missions. Where missions are mandated to support institution-building, including rule of law and security institutions, we must do more to ensure, right from the start, a strong engagement with other international actors. This requires stronger partnerships and coordination among the Council, the Secretariat, United Nations agencies, funds and programmes, international financial institutions, regional organizations and others.

As the Council reviews its mandates and plans for transitions, it could engage these partners more frequently and directly so as to ensure a smooth transition to other actors when our missions leave. In this regard, the Peacebuilding Commission provides an important political platform for countries on its agenda, which can help to focus attention on long-term institution-building priorities and mobilize resources for them, share lessons learned and sustain engagement by the international community.

There is much that we can do to improve our efforts, reduce fragmentation and promote a coherent approach. We can better reflect institution-building in assessments, identify what existing institutions are present and can be developed, and ensure better predictability and accountability for delivery by the United Nations system.

Many of the steps we are taking as part of our peacebuilding and integration agendas are strengthening coherence within the United Nations system, including integrated strategic frameworks that now bring together the missions and United Nations country teams around shared strategic objectives. But we can achieve greater coherence only with the active support of Member States. For example, we need greater consistency across mandating authorities to facilitate more effective cooperation and smooth transitions. Greater coherence and coordination among donors are equally important, and need to start from the earliest stages.

The Council, for its part, should provide clear and achievable mandates and carefully consider the role of a range of actors within and beyond the United Nations system. The Council and the missions it mandates play a crucial role in building some of the most important institutions in post-conflict countries.

Our success will depend on whether we can deploy the right expertise and resources at the right time, how well we work with our national and international partners, and whether we actually apply the lessons we have learned. Once again, I thank you, Sir, for your commitment to and focus on this vital issue, for your initiative and for sharing your country's example.

The President: I thank the Secretary-General for his statement.

I now give the floor to His Excellency Mr. José Luis Guterres, Deputy Prime Minister of Timor-Leste.

Mr. Guterres (Timor-Leste): I thank the Secretary-General for his very informative briefing.

May I, on behalf of Timor-Leste, thank you, Sir, and your country for holding this important thematic debate and for your kind invitation to us to join the Council on this very important occasion. My colleague, Minister of Finance Emilia Pires, Chair of the Group of Seven Plus (g7+), could not be with us as she is with the Prime Minister at our nation's Parliament, discussing the 2011 budget.

This year's budget is focused on developing our country's infrastructure and human capital. The budget process is a key enabling tool in support of our Nation's State-building agenda. Such is the level of public interest in this process that it is broadcast live on television and radio networks for 13 days to the entire country.

Today, the situation in East Timor speaks for itself. We all went through the global financial crisis, yet for three years running Timor-Leste has experienced an average of double-digit economic growth. This places us among the ranks of the top 10 fastest-growing economies in the world. Such growth has seen a 9 per cent decrease in poverty, reversing rising poverty levels that peaked at 50 per cent during the crisis. This decrease saw some 96,000 people lifted out of extreme poverty. The 2010 United Nations Human Development Index recently recorded a rise in rank of 14 places for Timor-Leste.

Unemployment has plummeted, with 96 per cent of men aged between 30 and 49 years currently employed and two in five women now working year-round. In 2007, 85 per cent of all Timorese were employed in the agriculture sector; today, that figure stands at 67 per cent of men and 61 per cent of women. Much of this achievement has been underpinned by the strengthening of institutions.

From the professionalization of the public service to reform of the security sector and the nation's taxation system; and from promoting transparency through the establishment of civil service and anti-corruption commissions to reforming public financial management, institutions have all helped in sustaining peace through the better delivery of public services.

Very soon, data on Government expenditure will be available in real time to the people via an on-line portal, thus ensuring greater transparency and making public spending more efficient. Timor-Leste's national priorities process embodies this national home-grown strategic response to the challenges of post-conflict State-building. The identification of specific national priorities in a sequenced manner has allowed us to identify and then resolve specific issues. From establishing stability to ensuring food security, these issues have required immediate, coordinated and strategic solutions while not distracting us from the larger task of reform.

Emerging from crisis in 2006, our immediate challenge was to establish security and stability so that out people could begin to rebuild. At that crucial moment, Timor-Leste was faced with a defining decision. To whose voice, amidst the offers of international support, should we listen for direction? At this time, I would like to thank the Secretary-General and the Security Council for responding to our request for assistance in a timely manner.

The crisis of 2006 profoundly affected East Timor. During his visit to Timor-Leste, the Secretary-General visited tent camps in Dili, our capital. Around 150,000 internally displaced persons (IDPs) lived in tents in East Timor at that time. This is a problem that, in many places, takes decades to solve. In East Timor, we did our best, with the help of the international community and the representatives of the IDPs themselves, and by discussing ways to find solutions we were able to solve the problem in two years. We therefore thank the Secretary-General and all the countries and experts that helped us in that process.

At the time of the crisis, we enjoyed the support of many countries, 36 of which contributed to the United Nations police mission, reflecting a wide variety of policies and philosophies. Also at that time, we faced the daunting task of establishing public trust in our defence and security forces, as well as trust in our institutions in general. We therefore had to take ownership of the process. With the help of the United Nations, we began security sector reform. Existing divisions in the defence and security forces slowly began to be eliminated through professionalization and better oversight and management. There were also improvements in the security infrastructure and salaries and reforms to the promotions regime, ensuring that merit and ability were restored as key criteria for career advancement. Those reforms also helped to secure peace and stability and to ensure that the nation would not have another crisis.

A second key social programme that has served to support stability involves recognizing our veterans through the provision of pensions. We have allocated $58 million in this year's budget for that purpose. All of us who have experience in conflict situations know how important it is to tackle veterans' issues. Those pensions formed part of a wider integrated social welfare package that now includes the elderly and female-headed households.

Those reforms heralded the beginning of a new compact between citizens and the State. Those successes now allow us to say goodbye to conflict with hope and determination, and welcome to development. That is our nation's motto today.

We find ourselves in a unique position. Having reflected upon our past failures and successes, we feel that we are better placed to communicate the lessons learned and to draw attention to what we consider to have been ineffective when it comes to how aid has been used to support institution-building in post-conflict States.

For Timor-Leste, the International Dialogue on Peacebuilding and Statebuilding, which we co-chair with the United Kingdom, is a very important channel that we use to engage in open and frank exchanges with fellow member States, as well as with regions and our development partners. At the Dialogue's first meeting, which was hosted by Timor-Leste in April 2010, members indicated that they could not hear their voices echoed within the vast body of work dedicated to addressing conflict in our countries. We could not see ourselves in the road maps, strategies and policy notes put forward.

In response, members agreed to convene four working groups dedicated to combining the breadth of experience that conflict-affected States and international partners had to offer, in order to present a credible and legitimate plan of action for the international community to refer to. The working groups focus on capacity development, under the co-chairmanship of the Democratic Republic of the Congo and Japan; aid instruments, under the co-chairmanship of Afghanistan and Sweden; planning processes, under the co-chairmanship of Sierra Leone and the United Kingdom; and political dialogue, under the co-chairmanship of Liberia and the United Nations.

Over time, a bond has been established between countries with direct experience of conflict. In fact, that shared experience provides the bridge necessary to identify and connect with a diverse range of countries, all of which are united in the search for peace. A forum of post-conflict affected countries was thus built, with a foundation grounded in the same basic human challenges we all face and spanning a diversity of cultures, histories and languages. The forum, known as the Group of Seven Plus (g7+), is a new and independent forum of conflict-affected countries and regions that have come together to form a single collective voice to present to the international community.

At the forum's inaugural meeting, held in Dili last year, 13 countries and regions came together to recognize the strong spirit of solidarity between our countries and regions, reflecting a strong desire to work together in the g7+ to share experiences, challenges, failures and successes in order to make a rapid transition to sustainable peace and development. My colleague the Minister of Finance was honoured to have been nominated as Chair.

The g7+ now accounts for almost 350 million people. It is the intention of the Group to own our nation-building agendas, drawing upon the combined wisdom of those 350 million people to provide the international community with the tools necessary to bring about real change.

Given the experiences of Timor-Leste, and considering the experiences that our fellow States have expressed to us, it is clear that institutions play a critical role in sustaining the shift away from conflict towards the building of more stable, responsive and accountable State. We are therefore concerned when we repeatedly hear of situations where the actions of the international community in that regard fall short of its promises.

As we said at the Millennium Development Goals summit last year, aid delivery and programmes supported by international actors are often inapplicable, unsuitable and incompatible with our agendas and priorities, including with regard to institution-building. On that same occasion, the g7+ challenged the global community to commit to a new paradigm of international engagement in conflict-affected countries and regions.

Other friends tell us of delays in the setting up of trust funds that are not delivering rapidly and flexibly, and thus causing disruptions in aid flows that then impact negatively upon the abilities of emerging institutions to deliver visible results to people.

In my country as well as in other countries, the responsibility for coordinating our development partners' various conflicting policies and practices gives an additional responsibility to our institutions. In order to ensure that we can rely on our partners, we feel that urgent reform and support must be directed towards at least four key areas.

First, international partners must help us build our institutions by working within them. That includes a complete review of the way technical assistance is provided to our countries. This is critical if we seek to strengthen State legitimacy and to build people's trust in emerging institutions, particularly during delicate transitions.

Secondly, one cannot build a nation upon the principles of another. There is no overarching model that can be applied to solve the unique challenges facing our nations. International actors must appreciate the importance of historical context, culture, regional diversity, linguistic complexities, social differences, ongoing political dissonance and the national mentality. All of those are crucial elements in State-building in post-conflict nations.

Thirdly, we must be absolutely clear as to the purpose that institutions are intended to serve, and then be relentless in that pursuit. Function over form must take priority. It is only when the tangible benefits of institutions are seen and felt that citizens' confidence, trust and engagement with State institutions will emerge.

Fourthly, sustained political dialogue within States — between the men and women who make up our communities and Government — is crucial to strengthening democracy and encouraging buy-in, thereby turning State-building into a nation-wide endeavour involving all peoples. In that regard, on behalf of the g7+, I would like to that advantage of the timely opportunity afforded by this debate to suggest the idea of a report of the Secretary-General devoted to the topic of institution-building in conflict-affected States.

In conclusion, all that we seek to achieve is difficult and requires time. However, what the g7+ has prioritized, and what I have presented to the Council today, are specific and, more important, actionable reforms to which the international community must now commit. We will work with our development partners through the International Dialogue to elaborate concrete actions that can improve international engagement in conflict-affected States. An action plan will be ready by the end of the year, and we would be happy to share the results.

As member States made clear in the g7+ statement, our countries understand that urgent action with international partnerships is critical at this time. As Prime Minister Xanana Gusmão recently said, this is not the time to be pessimistic — this is the time for hope and change. It is my sincere hope that the international community and members of the Security Council will take this message and work with us to ensure that our States and nations are also able to make a smooth transition towards peace and stability.

The President: I now give the floor to Mr. Peter Wittig, Chairperson of the Peacebuilding Commission and Permanent Representative of Germany.

Mr. Wittig: I would like at the outset to thank the presidency of Bosnia and Herzegovina for convening this important debate and preparing the draft presidential statement.

I particularly welcome the presence of the Secretary-General and also thank the Deputy Prime Minister of Timor-Leste, Mr. Guterres, for his comprehensive briefing.

Allow me to make the following remarks in my capacity as the Chairperson of the Peacebuilding Commission (PBC). I have just five more days as PBC Chair, but I will relish them.

The question of national capacity development in the context of post-conflict peacebuilding has been particularly addressed as a main theme in the Secretary-General's 2009 report on peacebuilding in the immediate aftermath of conflict (S/2009/304). Today's debate will allow us to delve deeper into the critical aspect of institution-building in complex post-conflict settings. To this end, I wish to highlight three overarching points from which we can possibly approach institution-building from a peacebuilding perspective.

First, the principle of national ownership, as the Secretary-General has made very clear, should stand at the beginning of any effort to build or rebuild institutions in countries emerging from conflict. Every post-conflict situation is unique, there is no one size that fits all and, thus, approaches to institution-building might vary considerably.

In many cases, most notably such as in post-conflict Bosnia and Herzegovina, we should not assume that the institutions and capacities needed to transform and rebuild the State and society are completely absent. We should encourage ongoing mapping of existing national institutions and capacities in critical peacebuilding areas — such as in the security and justice sectors, basic services and economic revitalization — and build on these existing national capacities. At the same time, a thorough analysis and dialogue with national stakeholders are crucial to prioritization within a broader national peacebuilding vision.

Secondly, there is an important need to develop a common institutional understanding within conflict-torn societies. Institution-building goes beyond establishing and nurturing organizational structures. From power-sharing and rotation, and the active participation of women in decision-making processes, to the fair distribution of wealth and economic opportunities, societies emerging from conflict struggle to rebuild themselves on the basis of new rules of the game.

Thirdly, it is important to keep in mind that entities such as the community, community-based organizations, the private sector and civil society also represent forms of institutions and are essential to advancing national reconciliation, restoring trust, rebuilding the social fabric and generating economic opportunities in conflict-affected societies.

Peacebuilding is certainly a major challenge for the whole United Nations system, but how can the United Nations peacebuilding architecture contribute to institution-building in post-conflict environments? The General Assembly and the Security Council tasked the PBC to focus on, inter alia, institution-building efforts necessary for recovery from conflict.

I wish to offer a few ideas on how the Peacebuilding Commission's role could further evolve in this respect. The Commission's engagement offers a political forum necessary to facilitate among national stakeholders the development of their own prioritization for peacebuilding. The Commission can encourage the identification of the crucial institutions and mechanisms needed to make post-conflict societies more resilient and capable of addressing tensions and challenges through non-violent means.

The Commission's engagement also provides a framework for the development of partnerships and mutual commitments between national Governments and their international partners in support of national peacebuilding priorities. The development and monitoring of its instruments of engagement allows the Commission to sustain focus on institution-building, to promote integration and coherence of efforts among United Nations and non-United Nations actors, and to help address funding gaps where they exist. As an advisory body to the Security Council, the Commission can keep the Council informed of evolving opportunities for and challenges facing peacebuilding in countries on the agenda.

Supporting national capacity development for building, transforming and managing viable institutions at the earliest stage should remain at the heart of our collective efforts. In taking forward relevant recommendations from the 2010 peacebuilding review, the Commission has undertaken to focus its instruments of engagement on practical approaches to national capacity development around critical peacebuilding priorities.

To conclude, I would like to welcome the joint statement to be delivered by the Chairs of the five country-specific configurations of the Peacebuilding Commission later on in this debate. I think that such a joint statement is a first for this body and testifies to the efforts to develop synergies among the five country configurations.

Allow me to add a few brief points in my national capacity.

First, international support to national institution-building should be designed in such a way as to support national ownership, rather than supplant it. One positive example of this is the phased-out involvement of international judges and prosecutors in the Bosnian State Court, which could serve as an important model in this regard.

In Timor-Leste, we have seen that, while the development of national capacities went very well, the early withdrawal of international judges, prosecutors and investigators was, with hindsight, perhaps premature. This can teach us some valuable lessons for the future on how to better sustain the ability of national actors to continue to fight against serious crimes.

Secondly, we need to understand the term "institution-building" in a very broad sense. This is the approach Germany adopts in its bilateral development assistance. Institution-building, or rather State-building, is not only about constructing Government institutions and State capacity; it is about the whole social fabric of a society and how the State interacts with its society. Thus, guaranteeing active participation of women, supporting the establishment of vibrant social organizations and integrating former child-soldiers, for example, into their local communities can all be part of institution-building.

In addition, we must think in medium- and long-term perspectives. For too long, the international community has based its approaches on too narrow and short-term perspectives. Let us face the fact that building States from scratch takes decades, not years. One good example of a nationally owned and broad, long-term institution-building approach is the institution-building plan of Palestinian Prime Minister Fayyad — the Fayyad Plan — launched in 2010. It aims at creating sustainable foundations for a viable democratic Palestinian State and focuses on areas such as good governance, social issues, infrastructure and economic revitalization.

Thirdly, post-conflict institution-building efforts should be combined with efforts to build national capacities in fighting impunity and in vetting human rights violation perpetrators, especially in the areas of judicial reform and police and corrections capacities, to rebuild victims' and public trust in State institutions. To cite a positive example, Germany funds the International Legal Foundation's expert day-to-day mentoring of local lawyers in Afghanistan and the West Bank, which has led to major changes in the practice of lawyers, shifts in lawyers' assumptions about their role in the justice system, shifts in the authorities' views of the importance of counsel, and the establishment of a true culture of defence where none previously existed. Without the involvement of organizations with the necessary local expertise to build national capacity, rule-of-law projects fail to develop adequately the capacities of national justice institutions to strengthen the rule of law and protect the rights of their citizens.

Lastly, the Security Council should address the issue of institution-building as early as possible, especially when mandating, extending or downsizing existing peacekeeping operations. Germany hopes that, especially during this phase, the relationship between the Security Council and the Peacebuilding Commission will become closer and more organic. Germany welcomes the most recent initiatives of the Council, such as the informal exchange of views between the Council and the Chairperson of the PBC country-specific configuration on Liberia, and would like to encourage more interaction of this nature in the future. We believe that in this way a more coherent, comprehensive, effective and timely approach to institution-building in particular, and post-conflict situations in general, can be achieved.

In conclusion, we very much look forward to the soon to be released Senior Advisory Group's review of civilian capacities and its recommendations regarding a more effective and comprehensive approach to post-conflict institution-building. We are confident that the review will give us valuable guidance on many aspects that are being touched upon during today's debate.

The President: I thank Mr. Wittig for his briefing and his statement.

I wish to remind all speakers to limit their statements to no more than four minutes in order to enable the Council to carry out its work expeditiously. Delegations with lengthy statements are kindly requested to circulate the texts in writing and to deliver a condensed version when speaking in the Chamber.

Ms. Rice (United States of America): I thank the Secretary-General, Deputy Prime Minister Guterres and Ambassador Wittig for their thoughtful briefings today.

The only way to truly end a war is to successfully build a peace. Old embers left to smolder can ignite into new flames. Old weaknesses left to languish can summon new risks. So we face an important challenge here today — to sharpen all the tools at our disposal in order to do an essential job better. We meet today at the initiative of our colleague from Bosnia and Herzegovina, who has rightly drawn the Council's attention to our topic today. This is fitting. Countries that have themselves endured and overcome the horrors of war are particularly suited to providing leadership — leadership that rests on hard-won wisdom.

In 1995, the Dayton Peace Accords ended a shattering conflict that claimed more than 100,000 lives and drove more than 2 million people from their homes. Through more than 15 years of dedicated effort, Bosnia and Herzegovina has built up national governmental institutions one by one and made them stronger and more effective — from the Ministry of Defence to the customs service, the tax agency and the central bank.

The United Nations, together with a wide range of other actors, has been involved in helping post-conflict countries grapple with their most pressing needs now for more than 20 years, and virtually every conflict-wracked country currently on the agenda of the Council — from Haiti, to Liberia to the Sudan to Afghanistan — seeks effective international assistance to rebuild its institutions.

We have learned important lessons over the past two decades in this field, but we also have work to do in putting them into practice. We all agree that national ownership of the processes of rebuilding and renewal is indispensable, but we still struggle to assist fragile post-conflict Governments so they can set and implement their own priorities. We recognize that women need to play a more active role in peacebuilding, but we still lag in ensuring that women have an equitable stake in making post-conflict decisions and a full voice in running key institutions. We know that the sustainability of a peace process often hinges on strengthening key national institutions, but we still grapple with how best to mobilize effective and timely international assistance in such vital areas as the rule of law and security sectors.

Fortunately, we have collectively acknowledged the challenges and resolved to make headway on them in the year ahead. For example, we have turned to the Peacebuilding Commission to help the democratically elected Government of Liberia to extend State authority beyond Monrovia by establishing regional hubs that will help deliver fair and timely justice in rural communities and make trained police and magistrates more accessible to the population as a whole. We have established new mechanisms and pledged considerable financial assistance to help Haiti consolidated the impressive progress it has made since the terrible earthquake struck a little more than a year ago.

But as many of us said in the Council yesterday, Haiti will continue to face steep challenges unless the international commitment to recovery remains strong and sustained and unless all parties redouble their efforts to strengthen Haiti's critical governing institutions. The country's recovery depends on its ability to find a way to move ahead, even amid complex challenges, including the continuing turmoil surrounding the November 2010 election.

The effectiveness of international assistance to institution-building in Liberia, Haiti and other countries emerging from conflict depends on the United Nations and other multilateral and bilateral actors being able to quickly identify and deploy qualified civilian expertise. We therefore look forward in the coming weeks to the findings of the international review of civilian capacity. We appreciate the briefings to the membership by the Senior Advisory Group, and we hope that the review will emphasize the question of core national capacities in post-conflict States.

We look forward to reviewing specific proposals to make the United Nations own civilian capacities more timely, relevant and flexible and more open to deeper partnerships. Our approach to this review will be guided by our own recent national efforts, as laid out in my Government's first quadrennial diplomacy and development review.

We continue to value the Secretary-General's ongoing efforts to make United Nations field missions more effective, particularly his work to ensure that the top leaders of missions are selected carefully and held accountable.

This meeting is a timely reminder of how essential the work of peacebuilding and institution-building is. There are no easy solutions for societies recovering from conflict, but we must persist in working together to try to craft and implement the specific solutions that each post-conflict society needs. Nothing less than international peace and security hang in the balance.

Mr. Araud (France) (*spoke in French*): I thank you, Sir, for convening this debate on the complex issue of institution-building. There can be no lasting emergence from conflict without reconstruction and national institution-building; when they are lacking, conditions conducive to violence can quickly re-emerge.

As previous speakers have said, and as subsequent ones will as well, there is broad consensus in the Council on the subject of our debate today, namely, on the need to address as soon as possible the process of institution-building in the aftermath of crisis. Peacekeeping and peacebuilding are two sides of the same coin. They must be planned in a forward-looking and integrated manner. There are three ideas that I would like to develop here: the need for national ownership of the process, as my German colleague has already mentioned; the need to define priorities as early as possible; and the importance of long-term funding for these new institutions.

First of all, with regard to national ownership of the process, the building of national institutions, the establishment of the rule of law and the development of practices of democratic governance are essential elements of any stable and peaceful political life. These things cannot be improvised. While it is possible to temporarily set up institutions in the aftermath of war — as we saw in the Democratic Republic of the Congo with the International Committee for Support of the Transition — lasting national institutions can only gain full legitimacy where there is national political will, validated by the people through a referendum or democratic elections. Such national ownership also makes it possible to ensure that the intellectual and human resources of a country are used appropriately and that newly created institutions are adapted to the national context and make it possible for development to occur. Should it gain independence following the referendum that has just been completed, what takes place in Southern Sudan will of course be an exceptional process that the Council will have to monitor very carefully.

Priorities will also have to be defined better. We have to take into account the stakes involved in governance. Corruption is a threat to the stability and security of societies, as it undermines institutions, democratic and moral values and justice. It also compromises lasting development and the rule of law. It is therefore important to define strategies and oversight mechanisms that can enable new institutions to defend themselves against this scourge, in conjunction with the whole host of international partners.

In order to avoid a resumption of conflict, attention must also be paid to the development of institutions in the immediate post-crisis context: democratic and representative bodies, public services that address primary needs and security institutions that ensure the stability of the State while guaranteeing respect for human rights and the rule of law.

Guinea, where everything has to be rebuilt even if it is not emerging from civil war, is a good example of this. President Alpha Condé has indicated that he wants to make security-sector reform one of the areas for immediate attention, along with setting up basic services and encouraging inter-communal dialogue. His project of having military engineering corps participate in public works is also an interesting way of cleaning up a military institution while placing it at the service of the development of the country.

There is no single way of rebuilding institutions. All partners involved must therefore support a strategy that is fully endorsed by the legitimate authorities of the host country.

My third and last point relates to the need for long-term funding. We must address the issue of sustainable funding for newly created or consolidated institutions from the very outset. As a State emerging from crisis rarely has the necessary resources to do so, the international community has to lend support. Let me cite the example of the press, which can be an important pillar for peacebuilding and the promotion of human rights. In that regard, the role played by United Nations Radio in the Great Lakes region must be acknowledged. The issue of funding radio services following the departure of United Nations missions has to be considered.

The Peacebuilding Commission must also play its role fully in building institutions. It can do so if it adheres to the three requirements that I have just mentioned, namely, national ownership, good governance and financial commitment. We trust that the 2010 review of the Peacebuilding Commission will make it possible for it to better focus its action and bolster its contribution to institution-building in the post-crisis stages.

Mr. Sangqu (South Africa): We thank your delegation, Mr. President, for organizing today's important debate. We also thank Secretary-General Ban Ki-moon for his briefing to the Council. We also wish to thank Mr. Guterres, Deputy Prime Minister of Timor-Leste, for sharing his country's experiences on institution-building. We also pay tribute to our colleague Peter Wittig for his outstanding leadership as Chair of the Peacebuilding Commission in the past year, as well as thank him for his statement today.

My delegation associates itself with the statement to be delivered later by the representative of Bangladesh on behalf of the Non-Aligned Movement.

It is certainly true that conflict frustrates not only the emotional and physical aspects of people's lives, but also the economic and social infrastructure of countries, which is the subject of today's debate. By way of further underscoring and addressing the challenges before us, my delegation will focus on four broad issues.

The first issue is the importance of national ownership and local capacities. As has already been mentioned by those who spoke before me today, national ownership of peacebuilding efforts is at the core of creating sustainable institutions in the immediate aftermath of conflict. Although people in post-conflict situations may not be able to articulate their short-, medium- and even long-term priorities, we believe that they can and should be given the opportunity to at least identify them. The international community has the obligation to build upon and advise countries based on priorities that they themselves have identified. Careful identification of those priorities is in most cases a critical determinant for the success or failure of peacebuilding efforts. National actors can be very accurate in identifying the root causes of the conflict.

National capacities at the human and institutional level are important in sustaining peacebuilding efforts. Consequently, the timing of developing these capacities becomes critical in the medium to long term when the attention of the international community on a particular country has waned. In particular, capacity- and institution-building are a foundation for efforts to avert dependency and achieve sustainable peace.

South Africa emphasizes the importance of building local capacities and the provision of training, especially targeting women, in order to enhance existing capacities at the national level, as they are usually willing to participate in the rebuilding of their homes, communities and countries. In this context, South Africa has played a significant part in post-conflict capacity- and institution-building in Africa through multilateral, bilateral and trilateral mechanisms, in such countries as Burundi, the Democratic Republic of the Congo and Sierra Leone, among others. On behalf of the African Union (AU), South Africa continues to lead the committee on post-conflict reconstruction and development in the Sudan, whose role is expected to become even more critical in the post-referendum phase, especially in Southern Sudan.

Secondly, with regard to the question of coherence, coordination and partnership, South Africa strongly supports the call for greater coherence, coordination and interaction among various United Nations organs and agencies. The United Nations must deliver as one. Other actors, such as the international financial institutions, regional and subregional organizations and donors, also need to work in a coherent and coordinated manner in support of national authorities to address national institution- and capacity-building priorities in post-conflict countries. These priorities include the creation and revival of institutions for the reform of the security sector, strengthening the rule of law, ensuring demobilization, demilitarization and reintegration, and economic recovery.

South Africa is encouraged by the progress made by the Peacebuilding Commission in strengthening its partnerships with regional organizations, in particular the efforts to institutionalize its relationship with the African Union. One of the principles underpinning the

AU's post-conflict reconstruction and development programme is capacity-building for sustainability. Since regional and subregional organizations are in close proximity to post-conflict situations, it seems natural and logical to us that the United Nations should work in partnership with these organizations if it is to maximize the impact of its peacebuilding interventions.

While acknowledging the improvement in the relationship between the Security Council and the Peacebuilding Commission, we believe that more has to be done. Perhaps we could consider flexibility in our working methods, in order to allow the Commission to effectively play its role in advising the Council on institution-building in post-conflict situations. The growing number of peacekeeping operations, integrated peacebuilding and special political missions with considerable peacebuilding tasks provides an opportunity for the Security Council to make optimal use of the Commission's advice. Specifically, in consultation with the Commission, we encourage the Council to incorporate peacebuilding tasks related to institution-building into all of its peacekeeping mandates. Peacekeeping and peacebuilding should be mutually reinforcing in the pursuit of lasting peace for countries in conflict.

Concerning the question of mobilizing resources, as our French colleague has already mentioned, institution- and capacity-building in post-conflict countries require a substantial injection of resources. In this regard, we believe that timely, sustainable and predictable financing remains a crucial ingredient in realizing peacebuilding objectives. We therefore emphasize the need for the United Nations to consider utilizing sustainable mechanisms, including assessed contributions, as a means of kick-starting peacebuilding activities in countries emerging from conflict, especially for early institution-building efforts.

In conclusion, South Africa welcomes the adoption of the draft presidential statement before us on post-conflict peace- and institution-building. South Africa appreciates United Nations efforts, through its multifarious organs and agencies, towards making the world a better place to live. We also look forward to the report on the review of international civilian capacities early this year.

Mr. Churkin (Russian Federation) (*spoke in Russian*): We are grateful to the Secretary-General and the Deputy Prime Minister of Timor-Leste, as well as to the Chairperson of the Peacebuilding Commission, for their contributions to today's discussion.

In its meetings the Security Council regularly considers issues of post-conflict peacebuilding, both within the framework of a generalized review and in the context of individual countries. The peacebuilding activities of the Organization have taken on a global scale and demand our careful attention. It is symbolic that the initiator of today's discussion is a Council member with first-hand experience of crisis, having gone through a brutal armed conflict and being a recipient of peacebuilding assistance. In our view, such an insider perspective will help further optimize United Nations mechanisms and increase our common understanding of existing problems.

We believe there is a need to highlight a number of specific principles. First, and most important, is that the logic of any peacebuilding operation is a function of the principle of national responsibility for defining its priorities and the approaches to their implementation. Only national leaders can ensure sustainable peaceful development. Mentorship and templates must be avoided.

Secondly, the key component in successful post-conflict peacebuilding is the creation and strengthening of national institutional capacities. This should become — in facts, not just words — the system-wide priority for the entire Organization. Achieving lasting peace and stability is only possible when every aspect of responsibility and ownership lies with national players.

Thirdly, any assistance from the international community should be provided with the consent of national Governments and with respect for the principles of sovereignty and territorial integrity. The success of peacebuilding efforts in Africa, the Balkans, Timor-Leste, Afghanistan, the Middle East and other regions is rooted in the ability to take into account the interests and priorities of host States. Assistance from the international community should not be imposed from outside. There can be no predetermined recipes for assistance. The specifics of every State and the nature of every conflict must be taken into account. In some cases, robust international patronage is essential in order to help form viable State institutions capable of effectively resolving the people's most pressing problems: establishing security and stability, stimulating the economy and rebuilding social infrastructure. Such international trusteeship does not cancel out the principle of providing for the gradual transfer of responsibility for a country's situation to its national authorities and for an early definition and formation of a clear exit strategy. Artificially maintaining such patronage can squander its purpose and become counterproductive. It should not become a brake on the path to strengthening national Statehood.

The United Nations unquestionably plays a special role in coordinating international post-conflict and socio-economic reconstruction efforts. The Organization possesses unique legitimacy and has accumulated invaluable experience. Even today, however, this role presents many complexities and demands the coordinated efforts of the Secretariat, the Organization's programmes and funds, Member States, regional organizations and international financial institutions. In this regard, we support the Secretary-General's drive towards increasing the effectiveness of United Nations efforts in the area of post-conflict response, strengthening the Secretariat's organizational toolbox and ensuring the cohesiveness of its work. In the peacebuilding field, the United Nations and its missions rarely operate in isolation. Other international presences are often working alongside them, as in, for example, Afghanistan and Iraq. Relationships in such cases should be defined in strict compliance with Security Council decisions.

Many of the initial tasks of peacebuilding — such as in the area of security-sector reform and disarmament, demobilization and reintegration — now fall to United Nations peacekeeping operations. In accomplishing its chief task, namely, enabling the peace process to move forward, United Nations peacekeepers play a critically important role in creating the conditions conducive to peacebuilding assistance on a larger scale. Considering the growing complexity and multifaceted nature of peacebuilding mandates, it would be rational to entrust peacekeepers only with the initial reconstruction tasks. It is imperative that we exploit the potential of the Peacebuilding Commission and of regional organizations, international financial institutions and donors in subsequent stages of post-conflict peacebuilding.

We would like to express our gratitude to the delegation of Bosnia and Herzegovina for preparing the draft presidential statement on the topic of today's meeting, which we are ready to support.

Mr. Osorio (Colombia) (*spoke in Spanish*): I would like to commend you, Mr. President, for convening this debate on a very relevant issue in terms of the functioning of States and their co-existence in the aftermath of conflict. Focusing the discussion on institution-building demonstrates its value for generating conditions that can ensure sustainable peace. The statements by the Secretary-General, the Deputy Prime Minister of Timor-Leste and Mr. Peter Wittig, Chairperson of the Peacebuilding Commission, reflect the progress that has been achieved and the tasks that remain before us on this issue.

Peacebuilding is primarily a national responsibility, and I believe we all agree on that. Countries recovering from the effects of conflict require tools to ensure good governance, strengthen the rule of law and channel economic and social development. In this regard, the international community is responsible for providing support for national agendas and priorities aimed at creating, restoring or reforming institutions in order to achieve effective administration and national capacity-building. The actions of the international community, including States, the United Nations, regional organizations and international financial institutions, should be aimed at supporting programmes that encourage a country's stability and viability. That is why the leadership of the State in question is paramount at every stage of the process.

Rebuilding the institutional structure that sustains a State affects every area of peacekeeping and peacebuilding. This viewpoint must be present from the earliest stages of the planning and executing of peacekeeping operations. Strategies aimed at establishing stable and lasting peace must be adapted to the specificities of each individual case. This understanding must guide the Council's discussion and decisions in order to ensure that the measures adopted respond to the political, economic and cultural characteristics of each situation.

The preparation and implementation of institution-building require from the outset the participation of the State and the use of existing national capacities to ensure the transition towards stability and long-term development and to help progressively to reduce dependence on the international community.

Conflicts weaken or lead to the dissolution of important civil society structures. There are many examples. Therefore, it is essential to generate sustainable economic activities that guarantee a steady income, a decent standard of living and the reconstruction of the social fabric. That will help to prevent the re-emergence of the conditions at the root of the conflict. Likewise, we must ensure that all actors involved in the peacebuilding process work in a coordinated and consistent way in order to avoid the duplication of efforts and to ensure the efficient use of available resources.

Colombia believes that the Peacebuilding Commission is destined to play a central role in meeting the special needs of countries emerging from conflict. It should promote recovery, reintegration and reconstruction and help to lay the foundations of sustainable development. Accordingly, it should promote institution-building and the regular use of its advisory role to the Security Council. Moreover, if the United Nations is to be more effective throughout the conflict cycle, the Security Council must make use of the conflict prevention tools at its disposal to develop actions to prevent the emergence and recurrence of situations that threaten or undermine peace. The experiences and lessons of all countries in that regard should serve to foster solid institution-building that ensures the transition to lasting peace.

Mrs. Viotti (Brazil): I thank you, Mr. President, for convening this timely open debate. I also take this opportunity to thank the Secretary-General for an excellent presentation. I welcome Deputy Prime Minister of Timor-Leste Mr. José Luís Guterres, and congratulate him on the important strides that his country has made in recent years. We very much appreciate his thoughtful comments on State-building, based on Timor-Leste's own very successful experience. I also thank Ambassador Peter Wittig for his important remarks on peacebuilding.

Brazil aligns itself with the statement to be made by Ambassador Jan Grauls on behalf of the five Chairs of the Peacebuilding Commission country-specific configurations. I will now make brief remarks in my national capacity.

The strengthening of Government institutions is key to achieving sustainable peace in post-conflict countries. In several parts of the world, the fragility or the lack of institutions makes it difficult to solve or mitigate serious political, social or economic problems, thus increasing the risk of relapse into conflict. We are encouraged to note that a consensus has evolved on the need for a comprehensive approach to peacebuilding and institution-building.

The efforts of the international community should be focused not only on supporting institutions in the field of justice and security, as it is also important to enhance the capacity of the institutions in charge of economic revitalization, public administration and the provision of basic services. Those institutions are indispensable to promoting poverty reduction, which is a powerful tool for addressing some of the root causes of social strife and building long-lasting peace. Likewise, social policies have a positive impact on the political process, since they empower groups that were once excluded from making decisions to do so at both the local and the national levels. The contribution of women must be continuously emphasized, taking into account two dimensions: on the one hand, their presence in Government institutions and, on the other, the existence of institutions and governmental bodies capable of ensuring their fundamental rights and needs.

That is one reason why institution-building must start at the earliest stage of the post-conflict period. There are a number of ways in which the United Nations system can and does assist societies emerging from conflict in that regard. The development arm of the Organization, the centrepiece of which is the United Nations Development Programme, is indeed expected to have assistance in institution-building as one of its main tasks.

Nevertheless, that endeavour is to be undertaken by all parts of the United Nations system, according to their respective responsibilities. In that regard, it is encouraging to see the growing recognition of the need to resort to peacekeepers as early peacebuilders. We seem to be finally discarding the traditional approach, by which peacekeeping and peacebuilding were sequential and unrelated stages in the path towards peace.

Assistance in institution-building is also a task to be undertaken in coordination with international financial institutions and regional and subregional organizations, whose valuable experience and expertise can provide assistance tailored to the specific needs of post-conflict countries.

As has been stressed by previous speakers, national ownership is vital to peacebuilding processes. International support to building and strengthening institutions must be fully aligned with the interests of the countries concerned. That is particularly relevant to the United Nations in those places where United Nations missions are deployed.

That is why one guiding principle for proper assistance with regard to civilian capacities should be to tap into and help build national capacities, thus avoiding the damaging consequences of brain drain and dependency on foreign expertise. Partnerships with Member States, in particular South-South cooperation, are particularly important to achieving that goal. We are confident that the current review of international civilian capacities will submit concrete recommendations to ensure that that principle is translated into practical arrangements.

Finally, as Chair of the Guinea-Bissau configuration of the Peacebuilding Commission, Brazil is committed to promoting national ownership, nurturing national capacities, and assisting in the consolidation of national institutions as we move forward in helping Guinea-Bissau to consolidate peace and promote its development.

Mr. Salam (Lebanon): Allow me first to thank you, Mr. President, for organizing this important and timely debate. Allow me also to thank Secretary-General Ban Ki-moon, Ambassador Peter Wittig and the Deputy Prime Minister of Timor-Leste, Mr. José Luís Guterres, for their briefings and presentations.

It is well known that conflict weakens institutions and affects State capabilities. In the post-conflict phase, the scale of required institution-building varies from one country to another. It depends largely on the degree of institutionalization existing prior to the eruption of conflict, as it is easier to resuscitate institutional memory than to establish it from scratch. However, peacebuilding is not only about rebuilding what existed before the outbreak of violence. Actually, it may be the case that existing structures are part of the root causes of the conflict. Therefore, the goal of any peacebuilding operation must be to establish stable and accountable institutions that are able to provide good governance.

In that context, institution-building should be understood and pursued in its wider sense, not only to encompass organizational reforms, but also to instill a value system that would promote the peaceful settlement of disputes over the long term. The early engagement of civil society is also important, as it can help to promote a culture of greater transparency, accountability and the active participation of the population in defining its actual needs.

Institution-building is both a goal and a means to an end in complex peacebuilding processes. It should be integrated, along with other peacebuilding goals, into a national peacebuilding strategy serving as a framework that brings together peace, security and development. A successful peacebuilding strategy must strike a delicate balance between the need to quickly produce an impact and dividends on the ground, on the one hand, and to support long-term capacity-building, on the other, with the overarching goals of transforming the causes of the conflict and laying the foundations for justice and durable peace.

As others have already stressed, the greatest lesson to be learned from previous efforts at building institutions in conflict-ridden States is undoubtedly that there is no one-size-fits-all approach. Building functional institutions requires tailored approaches based on thorough analysis of the root causes and drivers of the conflict.

Institution-building should be nationally owned from the outset and involve leveraging existing capacities. Therefore, the United Nations and donors should seek out local initiatives, however nascent, and encourage them to grow. In addition to national ownership, equally important is the availability of sustained attention and financial resources for long-term tasks. There is often a gap between peacebuilding aims and the resources required in the long run, as funding tends to diminish precisely at the point when it is most needed. In this area, the Peacebuilding Commission could play a critical role in mobilizing additional resources to continue over a sustained period of time.

Post-conflict institution-building undoubtedly determines the shape and direction peace and stability will take. It is thus our responsibility to provide the necessary means for such an undertaking to succeed.

Mrs. Ogwu (Nigeria): I want to commend your delegation, Mr. President, for bringing the focus of our peacebuilding discussion on institution-building for the first time. I extend our thanks to the Secretary-General for his insightful briefing, and we especially wish to welcome Deputy Prime Minister José Luís Guterres for sharing the experience of his country with us in this debate.

We owe a great debt to Peter Wittig speaking in his capacity as Chair of the Peacebuilding Commission (PBC). We believe that his dual role is a valid sign of the Security Council's deepening relationship with the PBC, from which we can only benefit.

Institution-building, an integral part of peacebuilding, encompasses more than establishing and nourishing organizational structures. It includes the value systems that underpin such organizations. Indeed, many civil conflicts erupt or recur not because of a lack of organizational structures such as courts, police and other security services, but because of deep disagreements over the sharing of political power and economic resources among different groups. The task of post-conflict institution-building revolves as much around rehabilitating organizational structures as it does around restoring the norms and values that guide the effective functioning of the economy, society and politics.

Although the work of the various actors in the United Nations system is to be commended, the restoration of core institutions cannot be outsourced, and accordingly it is imperative that, from the inception of each peacebuilding exercise, the United Nations be mindful of its role as a facilitator. National actors should always take the lead in articulating the needs of their countries, with the United Nations providing necessary assistance in addressing those needs.

As speakers before me have already stated, the fundamental need for people to own their own peace cannot be ignored. Every post-conflict society must be the author of its destiny. Any peacebuilding project that is not rooted in local knowledge, local expertise, local engagement and local will is doomed to fail right after the departure of the Blue Helmets. It is equally true that building a sustainable peace is the primary responsibility of the nation State. The Government and people of each country must assume the task of long-term institution-building.

We are gratified that the early findings of the civilian capacity review of the Peacebuilding Support Office point to the need to assess local needs and existing local capacities, including the capacity to absorb assistance, before we set about deploying international capacities. It is encouraging to note that the United Nations Development Programme and the Department of Peacekeeping Operations are reviewing both their needs and capacity assessment methodologies to better calibrate their work on the ground.

Despite a degree of progress, more predictable long-term financing for institution-building must remain high on our agenda. As Nigeria has previously stated, the lack of pre-mandate funding can slow progress in implementing important transitional mandates, and we therefore call for further consideration of how the Organization might resolve this very important issue. The two new funding facilities and the revised funding ceiling for urgent peacebuilding support from the Peacebuilding Fund are very welcome innovations. We encourage donors to participate in this and other multilateral funds that support institution-building and post-conflict recovery activities.

Regional actors also have an important role to play in this context, and we note in particular the African Union's Post-Conflict Reconstruction and Development Policy Framework. For its own part, Nigeria provides support for regional and international peacebuilding efforts. Across Africa, particularly West Africa, we support activities such as security sector reform. In addition, since 2004 all three arms of Nigeria's armed forces have been working assiduously with civil society to mainstream peacebuilding into international peacekeeping operations. The integration of peacebuilding into the training curriculums of a number of Nigeria's military institutions is aimed at equipping the armed forces with skills that will allow intervention supportive of a more lasting peace within communities following the cessation of hostilities.

If properly managed, with a clear division of labour, predictable funding and an exit strategy, the expertise of the international community can be invaluable in rebuilding institutions, particularly in the security and rule of law sectors. We eagerly anticipate the completion of the civilian capacity review so that the United Nations can draw from it lessons on better coordination, better cohesion and more effective partnerships with national, subregional and regional actors. In this way we can help post-conflict countries restore security, accountability and legitimacy, all of which lie at the very core of responsible statehood.

Every nation aspires to stand on its own two feet. Let us use every means at our disposal to make that aspiration a realizable one. I want to reiterate Nigeria's commitment to peacekeeping and peacebuilding. As an active and responsible member of the PBC, we will continue to lend our support to the efforts of the United Nations in assisting post-conflict societies.

Mr. Hardeep Singh Puri (India): The sustained attention of the Council to peacekeeping and peacebuilding is indicative of the fact that it recognizes that the success or failure of peacekeeping and peacebuilding will determine the continuing relevance of the United Nations and of this Council to many troubled parts of the world. My delegation would therefore like to thank you, Mr. President, for organizing this debate to focus on what is probably the most critical component of the peacebuilding agenda. We would also like to thank you for the concept paper (S/2011/16, annex), which we found extremely useful.

I thank the Secretary-General for his remarks, and I would also like to express our appreciation to the Deputy Prime Minister of Timor-Leste for his presence here and for his presentation on the remarkable strides that his country has made. I also thank the Chair of the Peacebuilding Commission, Ambassador Wittig of Germany.

Out of respect for the President's injunction to confine our remarks to four minutes, I will present only a summary of what I have to say. A more detailed paper has been circulated.

Peace cannot be restored to post-conflict societies and their citizens cannot be freed from fear and want unless national authorities are able to govern effectively. The capacity for effective governance, in turn, depends on the existence of institutions that enable these authorities to respond effectively to the aspirations of people.

Over the past two decades, this Council made huge investments in terms of manpower and resources in designing and running multidimensional peacekeeping operations. These have shown, at best, mixed results. A handful has delivered outcomes that may be termed satisfactory. Many have meandered as they attempted over a decade or more to be equal to the task of implementing their complex and ambitious mandates.

Unfortunately, conflicts persist, and we are now in the midst of another paradigm shift. One dimension of this shift — the attempt to define the scope of peacebuilding — is becoming ever clearer as fragile States define areas in which the international community can and is willing to support their nation-building activities. A second dimension — the relation between peacekeeping and peacebuilding — is also being clarified. However, a third dimension — the organizational context of peacebuilding — continues to lack uniformity. Some peacebuilding efforts are being managed by the Department of Peacekeeping Operations, others by the Department of Political Affairs and yet others by the United Nations resident coordinator system. At another level, the Peacebuilding Commission is working to expand its effectiveness. Peacebuilding, therefore, is very much a work in progress.

India brings to the table almost 60 years of experience in peacekeeping. We have contributed more peacekeepers to more peacekeeping operations than any other nation. We have also participated in every type of peacekeeping operation from truce supervision to the current generation of complex peacekeeping operations. Peacekeepers are early peacebuilders, and Indian peacekeepers have been among the earliest United Nations peacebuilders.

Our experience in transforming a colonial legacy into a modern, dynamic nation that enjoys both democracy and a rapidly growing economy has made Indian peacekeepers instinctively understand that no peace can be effective unless it is accompanied by the growth of local institutions. Indian peacekeepers in the United Nations Transitional Authority in Cambodia, the United Nations Operation in Somalia II, the United Nations Organization Mission in the Democratic Republic of the Congo, the United Nations Mission in the Sudan, the United Nations Mission in Liberia (UNMIL), the United Nations Stabilization Mission in Haiti and elsewhere have made conscious efforts to assist local authorities in restoring national structures that had collapsed during conflict. Our peacekeepers have donned peacebuilding hats and attempted to restore administrative processes, strengthened local policing and activated judicial mechanisms in the areas they have served. They have attempted to work through indigenous mechanisms for conflict resolution and mediation in order to strengthen these local institutions so that they become viable political institutions. They have tried to get educational institutions to function and provided services, such as livestock clinics, to help local economies get going.

Political and administrative institutions that decentralize governance are, in our experience, the key to nation-building. Institutions must be locally relevant and include all stakeholders, particularly the weak and underprivileged.

India launched the largest-ever exercise in democratic decentralization about two decades ago. Administrative and legislative powers were transferred to village- and district-level bodies, and considerable thought and effort were devoted to making these institutions locally relevant. The key to the success of these institutions, we have found, lies in what we call inclusiveness. Our process of democratic decentralization has ensured the election of about 1 million women to representative offices at all levels. Empowering those who have traditionally been at the margins of society has strengthened and transformed both democracy and governance in our country.

Inclusiveness works in interesting ways. The decision of the Government of India to aggressively recruit women police personnel allowed us to field a female formed police unit — the first such formation composed entirely of women — in UNMIL. We understand that the presence of these Indian women police personnel has not only assisted in restoring faith in the local law enforcement system, but has served as an example to Liberian women.

No amount of international will can replace national will and commitment. Moreover, peacebuilding cannot be undertaken in a hurry. Our role as peacebuilders has to be to assist, through long-term and patient involvement, the creation of an environment in which this local will is allowed to express itself. It is also to provide the resources and the expertise that are often lacking in societies struggling to re-engineer themselves. All of this calls for the international community to make available a predictable and appropriate level of resources over extended periods.

It is hard to avoid the feeling that the United Nations presence on the ground is a ponderous bureaucracy rather than a lean institution that is quick to adapt and respond. Symptomatic of this malaise is the fact that the Secretariat takes up to 200 days to fill positions in the field, leading to worrying vacancy levels. The sourcing of these capacities must be driven by the needs of national authorities and not by priorities of the donors. It also stands to reason that these capacities need to be sourced from the Governments of nations that have experience of relevance to these national authorities.

Serious consideration must also be given to the idea of expanding the secondment of staff to the United Nations. This would allow the United Nations to rapidly access necessary capabilities, deploy them swiftly and allow rapid scaling up and down. It is also likely to be more economical.

In concluding, I would like to stress that, as a responsible global citizen, India will not be found lacking in responding to the challenge of maintaining international peace and security through the peacebuilding process. Through the Indian Technical and Economic Cooperation programme, we give training to some 5,000 foreign students and experts from 158 countries around the globe in approximately 220 courses. Similarly, through lines of credit, South-South cooperation and the India Development Initiative, we have contributed to nation-building activities in various countries. India has also contributed to peacebuilding through innovate multilateral mechanisms, such as the India-Brazil-South Africa initiatives in Haiti, Guinea-Bissau and other nations.

Mr. Moungara Moussotsi (Gabon) (*spoke in French*): at the outset, my delegation commends the initiative of Bosnia and Herzegovina to organize this debate on post-conflict peacebuilding, and more specifically on the reconstruction of institutional architecture in countries emerging form conflict. I would also like to express our gratitude to Secretary-General Ban Ki-moon and Mr. José Luís Guterres, Deputy Prime Minister of Timor-Leste, for their valuable contributions to the present debate. Allow me finally to thank Ambassador Peter Wittig, Permanent Representative of Germany and Chairperson of the Peacebuilding Commission, for his enlightened leadership in that role.

Peacebuilding is one of the most difficult and complex tasks of the United Nations. Over the years, it has also become one of the most important, insofar as it prevents countries emerging from devastating conflicts from sinking back into violence.

Rebuilding institutional architecture is an extremely critical issue and calls for particular attention, as reflected in today's debate. My delegation would therefore like to focus on three issues we deem to be important: the assistance that the United Nations and the international community as a whole can provide to these countries; the question of national ownership; and aspects relating to partnerships.

Institution-building in post-crisis countries is an important pillar of peacebuilding. This is an issue that must be taken into account as soon as hostilities cease in order to establish viable and lasting peace. Indeed, a number of post-conflict countries lack effective institutions capable of preserving a painfully won peace. In other cases, the pre-existing institutions themselves are the cause of conflict.

The United Nations and the international community must ensure that peace so achieved is preserved. This approach allows for peacebuilding, to prevent any resurgence of conflict, and is fully consistent with my country's conception of conflict prevention.

International assistance, however, should not obscure the responsibility of the authorities and other national actors or their participation in the process aimed at rebuilding the institutions of their country. Assuming that responsibility would lead them to greater ownership of the institution-building process and the strengthening of national capacities.

With regard to issues related to the partnership among the various players in the reconstruction or strengthening of institutions, coherence and coordination among them is necessary to avoid overlapping tasks. In Sierra Leone, for example, the establishment of a single programme for change, bringing together the areas of security, development and policy, has considerably streamlined the work of the administration and has at the same time strengthened the coherence of its actions and the country's taking charge of the peace process.

Coherence must begin at the level of the United Nations, through the clear definition and distribution of tasks among the various bodies involved in efforts to rebuild institutions in post-conflict countries. We welcome the efforts undertaken by the Peacebuilding Commission in that regard. Next, coherence must extend to partnerships with regional and subregional organizations. They are sometimes better placed to resolve some issues and to consider, with the host country, the question of institution-building.

We also welcome the initiatives undertaken by the Peacebuilding Commission to strengthen relations between the United Nations and the World Bank, which have enabled the Bank to take better account of the priority needs of countries such as the Central African Republic during 2010. We encourage the Commission, in its coordinating role, to develop partnerships with all financial and donor institutions able to help the countries on its agenda. The Commission should also involve all actors, including women's organizations.

In their report on the review of the United Nations peacebuilding architecture (S/2010/393, annex), the co-facilitators recommended that special attention be devoted to the partnership between the Security Council and the Peacebuilding Commission. Gabon considers their recommendations a substantial contribution. The Council would stand to benefit from consulting with the Commission throughout all phases of peace operations, from their preparation through their renewal and to their withdrawal.

As we have often underscored, Gabon believes that the issue of institution-building in countries emerging form armed conflict should be planned for, as circumstances require, when a peacekeeping operation is established. Furthermore, we should not lose sight of the fact that control of the political and security process is, in our view, a central element of the comprehensive peacebuilding strategy. To that end, we urge our financial partners to continue their efforts to finance reconstruction.

We welcome the fact all of those elements have been taken into account in the draft presidential statement that has been submitted to us, which we fully support.

Mr. Moraes Cabral (Portugal): Thank you, Mr. President, for convening this timely and important debate. It is most suitable that we address this issue under your presidency, given your country's remarkable transition from the post-conflict stage to a stable democracy. I also thank the Secretary-General for his important statement.

I wish to extend a most cordial welcome to Mr. José Luís Guterres, Deputy Prime Minister of Timor-Leste, a country that is also a paradigm of today's subject and a success in the United Nations' peacebuilding efforts. Today, less than eight years after its independence, Timor-Leste is a democracy with stable institutions, looking confidently towards the future. That is due to the success of the peacebuilding efforts carried out in Timor-Leste, with institution-building at the centre. But it is mainly due to the will of the Timorese people and their political leaders' vision of national ownership and leadership. Portugal is honoured, alongside the other members of the Portuguese-speaking community, to be deeply associated with the successful path Timor-Leste has followed.

In the early stages of the United Nations reform process, Mozambique and Portugal jointly proposed the creation of a framework within the United Nations system that would help to bridge the gap between security needs and the need to rebuild stable institutions that would allow Governments in post-conflict situations to effectively pursue their main tasks. Without that, stability would be elusive and relapse into conflict would be a serious possibility. In time, that proposal led to the establishment of the Peacebuilding Commission (PBC), which has been chaired by our colleague Peter Wittig, whom I congratulate on his commitment and leadership. I must say that I share his analysis and suggestions concerning enhancing the role of the PBC.

It is now a common assumption that peacekeeping and peacebuilding should be seen as an integrated effort and no longer as sequential activities, and that peacebuilding activities should begin as soon as the situation on the ground so permits, well within the span of the foreseeable duration of a peacekeeping operation and throughout its cycle.

The United Nations must enhance its capacity to define integrated strategies from the outset and to coordinate the activities of the different actors on the ground — those in charge of security and the development agencies and non-governmental organizations — enhancing interaction with all the relevant stakeholders, including regional and subregional organizations, neighbouring countries, peacebuilding configurations and troop- and police-contributing countries. Much has been done in that sense, but more still needs to be done.

Only with legitimate, credible and resilient institutions will a State be able to discharge its functions and meet the expectations of its citizens. Only such institutions will be able to address the many issues that remain in post-conflict situations and to bring the resolution of political disputes into the political process.

Each country is a different and specific case. General recipes are dangerous, to say the least. But two further elements are common and equally important in all peacebuilding strategies: economic and social development, and national ownership.

Institution-building alone will not suffice, since no country will achieve sustainable peace and stability without economic and social development. Unemployment, especially youth unemployment, must be addressed at an early stage of peacebuilding efforts through concrete, focused initiatives. International economic aid should be concentrated on projects that take into account the economic, social and even cultural realities of the country, its specific capacities and the potential they offer for foreign investment. Adequate management of natural resources should also be incorporated early into development programmes and infrastructure reconstruction. Development of national capacities must be a constant objective in all areas.

There is an obvious link between development and peace. The nature of that link is perhaps not totally clear, nor can one build upon a casual relationship between the two. But they are surely mutually reinforcing.

No one can better understand the situation in a country than the people who live there. No foreign commitment can replace their will, without which no peacebuilding effort will be sustainable. The centrality of national actors is therefore indispensable.

The importance of national ownership in post-conflict peacebuilding is well known to all of us. The partnership between the State and the international partners must be based on a shared strategic understanding of the objectives and the way forward, with clear common goals, permanent and effective dialogue and interaction with the people of the country — the authorities, opposition parties and civil society as a whole. It must include a smooth exit strategy for the international actors. Gender issues and the instrumental role that women play in economic recovery, social cohesion and political legitimacy, expanding the scope of national capacities, are also of particular importance.

Peacebuilding is also an exercise in managing the expectations of the authorities and the civil society of the country in question and those of the mission and other international stakeholders. That can be done only through constant dialogue and through a real grasp of political, social, economic and cultural realities and their dynamics and evolution.

National ownership contributes to institution-building, and, on the other hand, institution-building reinforces national ownership and national responsibility, thus paving the way for a successful exit strategy of the international partners and self-sustained peace and stability.

The European Union has long been committed to supporting institutional development in post-conflict countries. In that regard, as a member of the European Union, Portugal naturally shares the position that will be expressed by its representative during this debate.

In concluding, I would like to recall an expression of Sergio Vieira de Mello, who personifies United Nations involvement both in Bosnia and Herzegovina and in Timor-Leste. He said "The UN is an instrument, a frame, an engine, a dynamic, as conciliatory, as innovative, as successful as Member States wish it, allow it and make it be." That is our common challenge and our shared responsibility. Bearing that in mind, let me assure the Council of Portugal's commitment to contribute to a more effective and coherent international responsible to post-conflict peacebuilding.

Mr. Wang Min (China) (*spoke in Chinese*): I thank Bosnia and Herzegovina for taking the initiative to convene this thematic debate on post-conflict peacebuilding and institution-building. We welcome the attendance of Secretary-General Ban Ki-moon and Deputy Prime Minister Guterres of Timor-Leste. I also thank Ambassador Wittig, Chairperson of the Peacebuilding Commission, for his statement.

Peacebuilding is the common challenge facing post-conflict countries. It is also one of important means through which the international community helps prevent relapse into conflicts.

In the peacebuilding process, there are questions that are not new but that have not yet been effectively addressed, such as the following. In post-conflict countries, how can peacebuilding work evolve at an early stage so that a transition from stability to sustainable peace and development can be achieved? How can coherence and coordination between the United Nations and other relevant parties be strengthened so that effective partnership can be established? In what ways should the United Nations and the international community provide support and help to post-conflict countries in peacebuilding, especially institution-building? In that context, China would like to raise the following four points.

First, it is imperative that the post-conflict countries bear the primary responsibility for peacebuilding in their own countries. All sides must fully respect the sovereignty and will of the countries concerned. National ownership and national capacity must be enhanced so as to lay the foundation for sustainable peace and development. The role of the international community is to provide assistance rather than substitution.

Secondly, national capacity-building is the key to success in peacebuilding in post-conflict countries. The United Nations and the international community must prioritize peacebuilding tasks, including institution-building, in the light of the specificities and circumstances of post-conflict countries and must provide timely and tailored technical support and assistance. In that regard, it is important to deploy competent international civil servants with the right skills to the post-conflict countries in a timely manner and to vigorously help countries concerned to provide training in the talents needed.

Thirdly, prioritization is important in helping peacebuilding in post-conflict countries. In such countries a myriad of tasks must be restarted from scratch, in a complex environment with fragile political and security bases. The international community's first task is to help the countries concerned ensure basic security, promote the political process, provide basic services, support core government functions and reinvigorate the economy and development. The primary goal of the international community's support in institution-building is to consolidate peace, safeguard stability, revive the economy and enhance the rule of law. In that process, full consideration must be given to the priority needs of the countries concerned and full attention must be paid to their views in formulating peacebuilding strategies.

Fourthly, the United Nations and the international community need to enhance coordination so that conflict prevention, peacekeeping, peacebuilding and promoting development can advance in tandem and in an orderly manner. That entails setting up comprehensive strategies for peacebuilding so that experiences and lessons can be drawn quickly and overlapping and waste of resources can be avoided.

Sir Mark Lyall Grant (United Kingdom): We are grateful to you, Mr. President, for bringing the critical issue of post-conflict institution-building to the Council today. We have much to learn from your experience, as well of that of East Timor. I welcome the presence of the Deputy Prime Minister, as well as, earlier in the day, the Secretary-General.

Helping build institutions is at the heart of building peace. Without security for the State and people, the economy and public services cannot operate. Without revenue, there will be nothing with which to pay for government services and functions and no confidence in the financial viability of the State. Without the rule of law, there will be no accountability. And there is a need to build the institutional capacity to resolve conflict peacefully.

The process of building institutions is not solely a technical exercise, but also a complex political one. It is often a core part of a peace agreement and is key in shaping the relationship between the State and society. It will also determine the level of confidence in the peace process and the extent to which public expectations are met. Achieving progress, particularly in the security and justice sectors, is a prerequisite for the sustainable withdrawal of peacekeepers.

But the process of building institutions is also a prerequisite for broader conflict prevention. Fragility and conflict are symptoms of institutional failure to manage stress, such as resource scarcity, climate change, corruption or organized crime.

The year ahead will again be a very challenging year for the United Nations in supporting institution-building. Challenges include supporting the needs of post-referendum Sudan, extending the protection of civilians and the rule of law in the eastern Democratic Republic of the Congo, and expanding protection and access to justice in Liberia outside of the capital — for which the Peacebuilding Commission will play a key role.

But blockages in peacebuilding are all too often due to failures or delays in institution-building. Those may be due to political reasons. But they are also due to continuing weaknesses in the ability of the United Nations to provide assistance.

There are five issues that I believe we need to focus on if we are to succeed this year.

First, time is critical. There needs to be the political and bureaucratic will to deliver on time and with sufficient scale to meet the volume of needs. That applies internally to the United Nations system but equally to Members States, such as through their engagement on the boards. Business as usual is not enough.

Secondly, United Nations support for justice and security sector reform needs to be much more effective. For that, there needs to be clear delineation of who has comparative advantage for which roles, so that we can invest in getting the predictable and accountable response required. That should reflect the right balance between immediate stabilization requirements and longer-term institution-building.

Thirdly, planning between peacekeeping missions and the funds and programmes needs to be genuinely integrated. When this Council mandates a mission, we need to be confident there is clarity on who within the United Nations will do what and that the funds and programmes have the means to ratchet up their engagement to meet these expectations. This has not been evident recently. We also want to avoid peacekeeping troops being pulled into institution-building activities, for which they are neither trained nor mandated.

Fourthly, there must be better quality and speed in civilian deployments. We look forward to the civilian capacity review, and we also look forward to the World Development Report, which will give further insight into how to improve our record in peacebuilding.

Finally, we need to give much greater focus to the perspectives and experiences of the countries themselves. We need to be better at assessing and tapping into existing capacities and to ensure assistance builds — rather than surpasses — national capabilities.

We welcome the formation of the new grouping of 17 fragile and conflict-affected countries — the so-called Group of Seven Plus that is chaired by East Timor — to provide that voice and feed into the International Dialogue on Peacebuilding and

Statebuilding. We would be wise to listen to their emerging findings during the course of the year. Fragile and conflict-affected States are perhaps the best judge of, and advocate for, the performance of the United Nations and the international community.

The President: I will now make a statement in my capacity as the representative of Bosnia and Herzegovina.

I would like to thank Secretary-General Ban Ki-moon, the Deputy Prime Minister of Timor-Leste, His Excellency José Luis Guterres, and the Chairperson of the Peacebuilding Commission, His Excellency Peter Wittig, for their statements.

Having come to recognize that institution-building plays a crucial role in preventing the renewal of conflict, Bosnia and Herzegovina convened this debate to ensure that post-conflict institution-building, as such, becomes one of the priorities on the Security Council's agenda. We hope today's debate will highlight the importance of a more effective and coherent international response to this complex and challenging task.

Given the experience of my country, among others, I would like to draw the Council's attention to a few key issues.

Building accountable, legitimate and resilient institutions should be a strategic objective from the early stages of a peacebuilding process. The traditional approach leaves institution-building for a later stage, focusing first on providing humanitarian relief and rehabilitation assistance. However, it is usually too late to start developing institutional capacities when peacebuilding efforts are at the end stage. The immediate post-conflict period offers the greatest opportunity to strengthen the institutional capacities needed to see peacebuilding efforts through.

Priority has to be given to the development of those institutions that will prevent a relapse into conflict and secure the survival and renewed credibility and legitimacy of the State. While specific institutions that should be given primacy will vary from country to country, certain institutions are crucial to consolidating peace regardless of the country context, and significant efforts should be invested in their development. They are: first, institutions carrying out political functions — implementing peace agreements, carrying out elections, resolving political disputes peacefully and making and implementing laws and regulations; secondly, security and rule of law institutions; thirdly, public finance institutions; and fourthly, institutions entrusted with economic revitalization and the delivery of basic services.

The post-conflict institution-building process should be carried out based on the principle of the rule of law. All international and domestic actors in the process should fully respect a post-conflict country's constitution, its internal legal order, its international agreements, rights and obligations, including the peace agreement that ended the conflict, as well as all other applicable principles and norms of international law.

The success of post-conflict institution-building critically depends on forging between the international community and a post-conflict society a partnership that is based on a set of shared goals. When domestic and international stakeholders build consensus on a set of common goals, achieving those goals itself becomes a driving force for institution-building. That in turn stabilizes a post-conflict society by bringing all stakeholders to collaborate on a shared agenda until the risk of relapsing into conflict is eliminated.

Given the weakened and vulnerable state of post-conflict countries, the international community may initially have to assume much of the responsibility for post-conflict institution-building and, in certain cases, set up transitional institutions that carry out functions and provide services that would normally be rendered through domestic capacities. However, the objective of institution-building should be to progressively reduce dependence on the international community and promote self-reliance by creating stable, viable and responsive domestic institutions.

National ownership is a condition sine qua non for the establishment of effective institutions and the securing of sustainable peace. The transfer of responsibility from the international community to domestic actors and institutions is a very delicate and extremely important task that should be carried out in a gradual and timely manner. The installation of transitional administrative mechanisms by the international community should go hand in hand with enhancing the capacity of domestic institutions.

Peacebuilding missions should be allowed more flexibility in adjusting their institution-building activities in order to account for changes and developments on the ground. Coordination between missions mandated by the Security Council and country teams, including development agencies and donors, must be clearly defined in order to avoid redundancy and overlapping. The assessments of the institution-building process in regular reports of Council-mandated missions need to be improved. That should also be taken into consideration when drafting resolutions for renewing mission mandates or peacebuilding configurations.

The Security Council should make greater use of the advisory role of the Peacebuilding Commission, in particular with regard to the development of viable and accountable institutions, in supporting domestic stakeholders in the countries on its agenda, identifying priority institutions to be developed and determining existing capacity gaps that require immediate and long-term support from the United Nations and the international community as a whole.

Allow me to offer two examples from Bosnia and Herzegovina. The first is our defence reform, which started in 2003 and resulted in unified modern armed forces that are operating under civilian command and with democratic oversight in accordance with commonly adopted standards. Several factors greatly contributed to the success of this process: political will and the consensus of domestic stakeholders in the first place, followed by extensive consultations, the involvement of all relevant domestic and international stakeholders, a proper and well-executed strategy, clear and coherent standards, good timing and a sufficient level of financing.

The second example is our electoral process, which in the first few post-Dayton years was organized with the extensive support of the Organization for Security and Cooperation in Europe. The responsibility for the electoral process was gradually transferred to domestic authorities, so that Bosnia and Herzegovina today has full ownership of this process and the capacity to conduct fair, transparent and credible elections.

I would like to conclude by stressing that coordinated, rapid action to support post-conflict Governments in building credible and accountable institutions is of critical importance to the success of a peacebuilding process as a whole. If properly executed, such action helps restore security, legitimacy, accountability and effectiveness, thus delivering clear peace dividends. Post-conflict institution-building is a complex and demanding process, involving multiple stakeholders and the need to find a balance between achieving short-term results and long-term capacity development. The search for optimal solutions that achieve synergy in this multifaceted endeavour never ends.

I now resume my function as President of the Council.

I have been authorized to make the following statement on behalf of the Council:

> "The Security Council recalls the previous statements of its President on post-conflict peacebuilding. The Council stresses the importance of institution-building as a critical component of peacebuilding and emphasizes the importance of a more effective and coherent national and international response to it, so that countries emerging from conflict can deliver core government functions, including managing political disputes peacefully, providing security and maintaining stability, protecting their population, ensuring respect for the rule of law, revitalizing the economy and providing basic services, which are essential to achieving durable peace. The Council emphasizes the importance of national ownership in this regard.
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> "The Security Council underlines that the primary responsibility for successful peacebuilding lies with Governments and relevant national actors, including civil society, in countries emerging from conflict and that the United Nations can play a critical role in support of building their national institutions. The Council acknowledges the need for continued improvement in the delivery of support in the immediate aftermath of conflict in order to help stabilize the situation, whilst at the same time starting the longer-term process of institution-building, including those institutions that promote democratic processes and foster economic and social development, with a view to sustainable peace.
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> "The Security Council emphasizes that the United Nations and the international community need to be more effective and coordinated in assessing needs and planning for effective institution-building, including how to make better use of existing national capacities and

perspectives in order to ensure national ownership. The Council stresses the need for mainstreaming support to national capacity development in all United Nations peacebuilding activities as a system-wide priority and underscores that peacebuilding strategies and institution-building should be considered in a country-specific context.

"The Security Council stresses the need for greater integration of effort, as well as predictability and accountability within the United Nations, in helping build institutions in countries emerging from conflict. The Council highlights the importance of coordinated, sector-wide and context-driven approaches in governance, economic stability, enhancing the rule of law and strengthening the security sector that must be nationally owned.

"The Security Council stresses its willingness to make greater use of the advisory role of the Peacebuilding Commission (PBC). The Council notes the potential role the PBC can play in helping achieve critical peacebuilding objectives, including the development of viable and accountable institutions in the countries on its agenda. The Council also stresses the importance of focused and well-defined partnerships among the United Nations, development agencies, bilateral partners and all other relevant actors, in particular regional and subregional organizations, and the international financial institutions, to implement national strategies aimed at effective institution-building, which are based on the achievement of results and mutual accountability.

"The Security Council reaffirms the critical importance of timely, flexible and predictable funding for peacebuilding, including institution and capacity building, and urges Member States and other partners to increase efforts towards achieving this goal, including through the replenishment of the Peacebuilding Fund and through multi-donor trust funds, acknowledging contributions already made.

"The Security Council expresses its commitment to continuing to improve its consideration and reflection of early peacebuilding tasks related to institution-building in the mandates and composition of peacekeeping operations, special political missions and integrated peacebuilding offices, with a view to making the necessary adjustments, where appropriate, according to progress achieved, lessons learned or changing circumstances on the ground. In this context, the Council notes with appreciation the contribution that peacekeepers and peacekeeping missions make to early peacebuilding and recognizes the need to integrate mission expertise and experience into the development of peacebuilding strategies.

"The Security Council looks forward to the report of the international review of civilian capacity in early 2011, recognizing the need for improved mechanisms for timely deployment of skilled civilian experts in support of national institution-building needs in post-conflict countries. The Council requests the Secretary-General to include in the next follow-up report on peacebuilding in the immediate aftermath of conflict an assessment of the impact that his agenda for action has had in contributing to building viable institutions in post-conflict countries, as well as additional recommendations to improve the effectiveness of the United Nations contribution to more effective, stable and sustainable institutions that can help prevent a relapse into conflict."

This statement will be issued as document of the Security Council under the symbol S/PRST/2011/2.

I now give the floor to the representative of Belgium.

Mr. Grauls (Belgium): I have the honour to speak also on behalf of the Permanent Representatives of Brazil, Canada, Jordan and Switzerland in our respective capacities as Chairs of the country-specific configurations of the Peacebuilding Commission (PBC) for the Central African Republic, Guinea-Bissau, Sierra Leone, Liberia and Burundi. We also associate ourselves with the remarks made earlier this morning by the Chairman of the Peacebuilding Commission, Ambassador Wittig of Germany.

Mr. President, we welcome your initiative to hold an open debate on this important topic, and would like to take this opportunity to share lessons learned from our experience on the ground. Our intervention has three elements. First, we will present our views on the conceptual and substantive aspects of institution-building in a post-conflict context. Secondly, we will offer suggestions on how the United Nations system could more effectively contribute to that effort. Finally, we will address the role of the Peacebuilding Commission and the country-specific Chairs in advising the Security Council.

In our experience, the process of institution-building is a critical component of post-conflict peacebuilding. Where State institutions are missing or fragile, violence more easily spreads through vulnerable societies, organized crime finds easy purchase for illegal activities, and reconciliation and recovery are delayed. The building, rebuilding and strengthening of core State functions is the sine qua non condition for overcoming conflict.

In such context, local capacity is too often overwhelmed by daunting challenges. This is evident in all five post-conflict situations on the agenda of the Peacebuilding Commission, despite the best efforts and commitment of the authorities concerned. One example is the lack of administrative resources in Liberia or the Central African Republic. There are only 91 magistrates available to deliver public administration services in the Central African Republic, and 13 magistrates in Liberia with proper legal training. Burundi's justice system is struggling to manage the 60 per cent of inmates awaiting trial in overcrowded prisons. In Sierra Leone, a dedicated national police force is hampered by the critical lack of available transportation.

Institution-building is about ensuring the sustainable, equitable and effective delivery of security and basic services to a national population. Functioning institutions not only protect citizens, but also empower greater participation in political decision-making, especially with respect to groups that are traditionally marginalized at the national or local levels. Critical examples include security forces that uphold human rights, a justice system that offers independent adjudication, transparent mechanisms for political participation, well-managed public administration, and effective strategies for spurring economic recovery and social development. In most post-conflict countries, it may also be important to deal with the past through processes of transitional justice and national reconciliation. Moreover, it is not enough to focus only on central Government. Conflicts often emerge from and disproportionately affect rural areas, where the extension of basic services tends to lag.

It is also important to enhance the capacity of institutions in charge of economic revitalization, public administration and the provision of basic services. These institutions are indispensable to promoting poverty reduction, which is a powerful tool for addressing some of the root causes of social strife and build long-lasting peace. Social policies may likewise have a positive impact in the political process.

While each post-conflict situation is different and there are no one-size-fits-all blueprints, our experience has yielded several useful lessons.

First, stable institutions cannot be imposed; they must be trusted and accepted by citizens. They have to be built and sustained by the individuals concerned. International institution-building efforts have to involve national actors at the outset in order to better identify and employ available local capacity. In this respect, civil society is a core pillar of institution-building, and the participation of women is of particular importance.

Secondly, institution- and State-building in post-conflict situations require sustained support from the international community. It is a matter of years, possibly even decades. It is complex. It is costly. It requires predictability of resources and the will of the international community to remain engaged for a prolonged period.

Thirdly, institution-building requires responsive financing. The catalytic role of the Peacebuilding Fund should be supported and supplemented by other national and international mechanisms that allow a similar or higher degree of speed and flexibility.

Fourthly, institution-building involves negotiating competing objectives and a readiness to accept imperfect outcomes. One constant challenge lies in managing the dilemma between the slow pace of State institution-building and popular expectations for rapid improvement. Institution-building must go hand in hand with the delivery of basic services that directly impact the everyday lives of citizens.

Finally, when assessing the institutional weaknesses of post-conflict countries, the international community should adopt a comprehensive approach and take into account the factors that hamper social and economic development. In particular, roster-holders should consider increasing the availability of experts in social and economic policy, with enhanced emphasis on South-South expertise and greater participation by developing countries.

Allow me now to offer some suggestions on how the United Nations system could more effectively contribute to peace- and institution-building.

Starting with the role of the Security Council, the five country-specific configuration Chairs of the Peacebuilding Commission believe that institution-building deserves greater and more in-depth attention. As it requires both considerable time and resources, institution-building should be addressed in the early stages of peacebuilding processes. Likewise, when considering mission mandates, the Council should take institution-building into account in a manner that retains a tight focus on core stabilization priorities and relies on the comparative advantage of other actors. The Council should also continue to mandate integrated missions to deliver a comprehensive approach to peace consolidation, including by serving as a point of coordination with other actors in the international community.

The scope and complexity of institution-building often demands a wider and more sustained focus than the Security Council is capable of providing alone. Bilateral and multilateral partners and development actors have a critical role to play. Of particular importance are regional institutions and organizations such as the African Union, the Economic Community of West African States and the East African Community. Aid coordination is also crucial for avoiding conflicting strategies, overlapping activities, critical gaps and inconsistent financing.

Within the United Nations system as a whole, there is an enduring need to better define the Organization's roles and responsibilities in key peacebuilding sectors, including institution-building. Doing so will enhance the overall efficiency of the United Nations system and enable stronger support for senior leaders in the field. In that context, relations with the World Bank and other multilateral forums, such as the International Dialogue on Peacebuilding and Statebuilding, are of crucial importance.

Closer institutional coordination is required, as cooperation with the United Nations remains too dependent on personal relationships or ad hoc arrangements in the field. Effective post-conflict institution-building also requires a wide range of specialized civilian expertise, particularly in the areas of justice, security-sector reform, governance, economic recovery and social policies. Yet, both the United Nations and the broader international community still struggle with how to develop and deploy such capacity in a timely and targeted manner. In particular, more attention needs to be paid to drawing on and building the pool of talent available in affected countries. That should be the first priority for institution-building efforts. Similarly, more work is needed to tap latent expertise within the global South.

For those reasons, it is important to further strengthen mechanisms for South-South cooperation and triangular cooperation between the North and the South. It is also clear that the United Nations can, and must, do more to provide field missions with the expertise they need. That will require the United Nations to both improve its own procedures and to serve as a platform for drawing on the wider capacity available within Member States. In that respect, the Chairs look forward to the recommendations of the review of international civilian capacities.

In the view of the Chairs, the United Nations peacebuilding architecture could be better used to foster and monitor institution-building efforts and to improve coordination among the full range of relevant actors. The Security Council should increasingly draw on, and better define, the Peacebuilding Commission's advisory role, especially in terms of supporting institution-building efforts undertaken by non-Secretariat entities, providing more sustained attention to peacebuilding issues beyond the immediate scope of stabilization efforts and addressing longer-term issues that have implications stretching beyond the period that the country is likely to be on the Council's agenda.

With respect to the countries on the PBC's agenda, the country-specific configurations strive to improve coordination of institution-building efforts in accordance with the peacebuilding priorities identified with national authorities. The Security Council could benefit from the experience and knowledge of the country-specific configurations by inviting the Chairs to brief the Council regularly on the progress of institution-building and other peacebuilding efforts, by consulting with the Chairs when renewing or amending mission mandates and by considering the participation of the Chairs in Council missions to countries on the PBC's agenda.

For other post-conflict countries, the Security Council could consider establishing regular coordination mechanisms with other international and regional actors, including the World Bank. A multi-tiered approach by the PBC can play a useful role in this respect, as can groups of friends of post-conflict countries.

The President: I now give the floor to the representative of Egypt.

Mr. Abdalaziz (Egypt): At the outset, I would like to express my delegation's appreciation to Bosnia and Herzegovina for convening this important debate on the theme of "Post-conflict peacebuilding: institution-building", emphasizing the consistent priority that has always been stressed by Governments in post-conflict countries. I would also like to associate my remarks with the statement to be delivered by the representative of Bangladesh in his capacity as coordinator of the Non-Aligned Movement for peacebuilding activities.

Over the past six years, the United Nations has been successfully shaping its peacebuilding architecture, adjusting it to address the challenges and fill in the gaps emerging from past experience in peacebuilding in post-conflict situations, as identified in the recommendations of the review of the Peacebuilding Commission (PBC) and the ongoing review of the international civilian capacity. We are confident that Member States will continue to support international efforts through the Organization's principal organs, which significantly contribute to peacebuilding in post-conflict countries, in particular those of the Peacebuilding Commission, along with the efforts by the Secretary-General.

In that context, Egypt is confident that the implementation of the recommendations of the Peacebuilding Commission review will contribute to further strengthening the role of the Commission in establishing the vital peacebuilding platform. Egypt is coordinating on this issue with the African Union and will present, at the African Summit to be held in a few days at the end of this month, a proposal to establish a regional centre in Cairo to support peacebuilding and institution-building capacities on the African continent.

The success of institution-building in post-conflict situations largely depends on a strategic vision that should be established on the fundamental pillars of national ownership, innovative approaches, comprehensiveness, and multi-pronged partnerships.

The doctrine of transferring responsibility for peacebuilding, and consequently institution-building, to the international community is a falsely premised one. National ownership is a sine qua non for a successful peacebuilding process. In no case can the international community, even at the stage of conflict, provide services that would otherwise be provided by national or transitional Governments. Accumulated international and regional expertise have proven that national ownership of all phases of any peacebuilding process, including institution and civilian capacity-building, is the essential requirement for the success of such efforts.

National and transitional Governments in post-conflict countries must have the responsibility in identifying peacebuilding priorities and should be at the core planning and implementation of peacebuilding strategies, supported by a vibrant national civil society and assisted by the international community. They should always maintain the ability to terminate any peacebuilding activity at any time, in true reflection of the principle of national ownership.

In this context, institution-building represents a vital component of peacebuilding strategies, requiring innovative methodologies beyond traditional approaches. The requirements for stabilizing a newly established peace in a post-conflict situation extend beyond the traditional goals of security sector reform, disarmament, demobilization and reintegration, and the rule of law.

If the aforementioned goals are to be successfully realized, other vital priorities must be achieved in tandem, in particular the strengthening of economic, financial, social and political institutions and civilian capacity-building in all fields. Such an approach requires a thorough analysis of existing national capabilities and resources, as well as the challenges facing successful, comprehensive and gradual institution- and civilian capacity-building on a case-by-case basis.

The efforts of post-conflict countries to address institution- and civilian capacity-building and to respond to these challenges should be supported from the early stages by multi-pronged partnerships within and outside the United Nations system among the relevant United Nations bodies and the United Nations field operations. Furthermore, the United Nations should not be the only player in institution- and civilian capacity-building. This responsibility should also be shared by the donor community, international institutions — in particular, international financial institutions — and relevant regional and subregional organizations, drawing in particular on the vast pool of regional and international expertise and resources.

Establishing the appropriate environment required for exit strategies of peacekeeping operations necessitates the active involvement of peacebuilders and development actors at the early stages of any peacekeeping operation. Providing the needed support to the efforts of national Governments and civil society in post-conflict countries requires innovative coordination and collaboration among the principal organs of the United Nations and within the United Nations system, as well as maximizing the benefits from the established peacebuilding architecture.

Finally, efforts to rehabilitate and establish national institutions and the capacities needed to support them, as well as creating the enabling structural, economic and social environments for their sustenance, will not meet with success without adequate, reliable, predictable and flexible funding, without conditionality or earmarking. In addition, we need to establish monitoring and follow-up mechanisms to ensure the fulfilment of national and international financial commitments needed to realize the nationally agreed institution- and civilian capacity-building priorities. They would also ensure the consistency of the priorities of international funding mechanisms, including the Peacebuilding Fund, with the national peacebuilding priorities of the concerned countries, and address the need to consider innovative methods to strengthen the resources of such mechanisms, particularly the Peacebuilding Fund.

In this connection, at the sixty-fourth session of the General Assembly, Egypt suggested the convening of an annual donors' conference for the Peacebuilding Fund, similar to the annual pledging conference for the Central Emergency Response Fund, in order to ensure the mobilization of increased funding for future peacebuilding activities. We hope that this proposal will garner the necessary support for its full implementation.

The President: I now give the floor to the representative of Turkey.

Mr. Apakan (Turkey): I would like thank and commend the presidency of Bosnia and Herzegovina for organizing today's open debate on this important issue.

We currently have a sound conceptual framework and a better understanding of post-conflict peacebuilding, thanks to the considerable endeavours made within the United Nations system in recent years. We now need to focus more on translating this framework into concrete action, both in New York and in the field.

For its part, Turkey has been increasingly engaged in preventive diplomacy, peacemaking, peacekeeping and post-conflict peacebuilding efforts, which are closely interlinked. We believe it essential to use these tools within a coherent and strategic framework. Turkey placed particular emphasis on these issues during its Security Council membership. Now, together, with Finland and the Group of Friends, we are working on how to further the concept of mediation, both within the United Nations and beyond. In our view, peace mediation and facilitation efforts are the most cost-effective and efficient way of preventing and resolving conflicts.

The concept paper presented by Bosnia and Herzegovina (A/2011/16, annex) and the presidential statement just adopted (S/PRST/2011/2) contain pertinent points about a wide range of issues on the peacebuilding agenda. For this reason, and in order to adhere to the time limit for statements, I will touch upon only a few points that I deem particularly important.

First, peacebuilding is primarily a national responsibility. Hence, as has been stressed by many delegations, national ownership is of critical importance. The effective and sustainable realization of peacebuilding goals requires the active engagement of all local stakeholders, including civil society, professional associations and women's organizations. Therefore, one priority of peacekeeping operations should be to win the hearts and minds of the local people and to work together with them. This will not only inoculate the operation against criticism that it has been imposed on the national Government and population, but will also increase its success. National ownership and capacity-building are also essential elements of a successful exit strategy.

At the regional level, the support and cooperation of regional actors, particularly neighbouring countries, is another essential aspect of successful post-conflict peacebuilding and institution-building. Many conflicts have cross-border dimensions beyond domestic political circumstances. Accordingly, the scope of conflict analysis and response needs to be broadened, not only conceptually, but also geographically.

If our peacebuilding endeavours are to succeed, we should pursue an integrated and comprehensive approach. This approach should be based on coherence among political, security, development, human rights, humanitarian and rule of law objectives. We believe that it is necessary to take complementary actions in all those areas. It is also always important to bear in mind that every country is unique. Local conditions, needs, opportunities and limitations may differ considerably. This means that the prioritization of peacebuilding and capacity-building activities must be country-specific. Strategic planning for peacebuilding activities must therefore also be sufficiently flexible.

In view of resource constraints, the success of the overall effort depends on the ability to strategically coordinate the activities of different actors. In this regard, the United Nations has a unique role to play, as it can coordinate the work of various stakeholders to deliver as one on the ground. United Nations support to regional and subregional organizations should be increased in order to develop their capacities to better perform United Nations-mandated tasks in the future.

Before concluding, let me also underline the importance of mainstreaming women's participation at all stages of the peacebuilding effort. Turkey welcomes the increasing awareness within the United Nations system and among Member States of the importance of removing constraints on women's full participation in the peacebuilding process. We look forward to the further empowerment of women's role in peacekeeping, peacebuilding and mediation endeavours.

The President: I now give the floor to the representative of Croatia.

Mr. Vilović (Croatia): First of all, let me thank you, Madam, and your team for successfully conducting the Council's work during this month. At the same time, we would like to commend Bosnia and Herzegovina for selecting this important topic as the subject for this open debate. We are confident that, based on Bosnia and Herzegovina's wide experience in this field, the Council will have a successful debate and achieve mutual understanding on this important subject.

My delegation has aligned itself with and fully supports the statement delivered on behalf of the European Union. However, allow me to take part in this exceptionally relevant and timely debate by adding a few short comments in my national capacity.

One of the main purposes of every functioning State should be the prompt, efficient and sustainable delivery of core services to its citizens. Armed conflict annihilates not only this basic function of the State but, unfortunately, much more precious assets as well: human lives, health and dignity. It is thus only natural that post-conflict recovery start with emergency relief and humanitarian assistance. At the same time, it would be reasonable, if not necessary, to include in this process, from its very beginning, appropriate investment towards the recovery of the social network, on which everyday life depends. Genuine and sustainable peace can be achieved only through thorough rebuilding of core national institutions and their functions, as well as their employment on behalf of all social, religious and ethnic groups.

As we have heard time and again today, national ownership is the key tenet from which all peacebuilding efforts should start, and to which they should ultimately return. Thus reliance on and strengthening of local capacities, no matter how scarce, are fundamental preconditions for successful peacebuilding. Such an approach introduces a unique perspective otherwise not available to outsiders, consolidates necessary national governing structures and policies and paves the way for greater acceptance of a peacebuilding mission by the local population. It strengthens the hope that a peacebuilding dividend will be distributed among the local population and that peacebuilding efforts will survive long after the first appearance of signs of possible and expected donor fatigue.

In this context, Croatia is following with great interest what we hope will become a new and widespread practice of incorporating all peacebuilding efforts into a single national strategy instrument that encompasses all relevant peacebuilding programmes and activities. At the same time, Croatia believes that, on the other side of the equation, the international community, the United Nations and its agencies and all other stakeholders should attentively follow suit by unifying their actions under a proclaimed agenda, clearly dividing their roles and responsibilities and ensuring appropriate coherence and coordination in order to deliver as one.

From the very beginning, Croatia has strongly supported the establishment of the Senior Advisory Group tasked to undertake a review of international civilian capacity in order to strengthen the availability, deployability, coherence and appropriateness of civilian capacities based on an assessment of existing capacities. We very much look forward to the upcoming report on this issue.

We all agree that timely, flexible and predictable funding plays a crucial role in any peacebuilding effort. In that context, Croatia looks forward to further strengthening of a strategic partnership between the United Nations and the World Bank. We await with special interest the Bank's 2011 *World Development Report* on the theme "Conflict, security and development".

Croatia is heartened to see that broad cross-regional support for stronger peacebuilding is steadily increasing, encompassing Governments, international organizations and civil society. In that context, my country sees particular importance in further support to, and strengthening of, often feeble but steadily growing civil societies in countries that have recently emerged from conflict. Very often, civil society is precisely the necessary link between relevant international stakeholders and the strategy endorsed by the local population that requires activation in order for peacebuilding efforts to fully bear fruit.

Croatia recognizes and supports the Council's intention to further strengthen coherence among peacemaking, peacekeeping and peacebuilding efforts in its work. In that regard, we particularly welcome the Council's practice of transforming some former peacekeeping missions into integrated peacebuilding missions. This practice perfectly fits the mandates and activities of other stakeholders in charge of peacebuilding, especially the Peacebuilding Commission, and opens the door for their further fruitful cooperation. In that context, let me add our hope that the Peacebuilding Commission's relevant knowledge and experience with respect to specific issues of countries on the agendas of both the Security Council and the Peacebuilding Commission will find a path to the Council's deliberations.

Croatia welcomes the Secretary-General's detailed overview of the progress achieved in implementing his agenda for action set out in his progress report on peacebuilding in the immediate aftermath of conflict (S/2010/386), which was recently presented to the Council (see S/PV.6396), and particularly the recommendations contained therein. We equally fully support the Secretary-General's report on women's participation in peace-building (S/2010/466) and his strategic seven-point action plan introducing necessary practical suggestions for more active engagement by women in peacebuilding processes. In that regard, we offer our support to the ongoing efforts aimed at mobilizing resources for initiatives that address women's peacebuilding needs, advance gender equality and empower women in peacebuilding contexts.

Finally, let me express once again our appreciation for the excellent report on the review of the United Nations peacebuilding architecture (S/2010/393, annex), which was presented recently by the three co-facilitators and adds substantially to our comprehension of the complex issue of peacebuilding, opens new avenues for its further exploration and offers many valuable recommendations.

In conclusion, I would like to express our conviction that the new momentum witnessed in the field of peacebuilding, as well as the many valuable proposals and recommendations that have resulted from the regular and periodic reviews of peacebuilding activities, will not be wasted but will soon lead to new synergy between all relevant actors and yield eagerly awaited results.

The President: I now give the floor to the representative of Afghanistan.

Mr. Tanin (Afghanistan): Please allow me to begin by congratulating you, Madam, and your delegation on assuming the presidency of the Council for the month of January. I thank you for convening today's important meeting on post-conflict peacebuilding and institution-building. Our thanks also go to the Secretary-General for his remarks. I would also like to thank His Excellency Deputy Prime Minister José Luis Guterres, who spoke on behalf of the Group of Seven Plus, of which Afghanistan is a member.

Institution-building is one of the essential components in establishing a peaceful and sustainable future in any post-conflict situation. The requirements for successful institution-building in post-conflict settings include recognizing unique contexts; steady provision of resources; growth of human capital; national, regional and international cooperation; and strategic patience through the transition period. In Afghanistan, we have learned first hand the importance of each of these requirements.

In the ubiquitous debate on the current situation in Afghanistan, it is easy to overlook the 30 years of conflict that Afghanistan has overcome in order to reach a point at which, today, we can discuss institution-building and post-conflict peacebuilding. Let us not underestimate the time it takes to surpass the challenges of history. An environment such as Afghanistan's, which has faced complex conflict, power struggles and ongoing violence for decades, cannot be changed overnight. As we engage in each and every discussion about the training of the Afghan army and police, the timeline for military engagement or international partnerships, we must keep this context in mind.

In 2001, Afghanistan was considered to be the most failed State in the world. The fall of the Taliban left a weakly governed State with no professional police or army to quell the ongoing fighting around the country. In 2001, Afghanistan lacked State institutions and had a budget of merely $27 million. After having hundreds of thousands of military and non-military Government employees in the early 1990s, educated and skilled workers fled the country and its Government was left with fewer than 2,000 employees with higher educations. Many Government institutions were non-functional because basic staffing and resourcing needs were not met.

Given the magnitude of destruction, stabilization efforts in Afghanistan have produced impressive results. Despite its uphill climb since the time of Taliban rule, Afghanistan has experienced political transformation and development over the past decade, achieved through the support of the international community. The political process for the continued growth of the country is in place. Nearly 7 million refugees have returned. Women's roles in politics have steadily increased. Civil society has emerged triumphant in a more unified and organized manner. There are many areas in the country where we are witnessing governance for the first time in decades. Progress in the area of infrastructure development, including building and paving roads and increased access to water, education and health care, has been among the most rapid of any post-conflict nation in decades. Women and girls now have equal access to education.

Security institutions have developed, supporting the emergence of Afghan national ownership. The last year has shown that it is possible to increase the Afghan National Army substantially and simultaneously to see its planning and combat abilities improve. Local administrations have increased their involvement in security efforts, particularly through the engagement of the Afghan people, especially elders, in defence programmes in villages.

As a measure to end violence and achieve lasting peace, we in Afghanistan have prioritized reintegration and reconciliation. We continue to encourage members of the armed opposition to put down their weapons, choose the path of peace and join efforts for stabilization and rehabilitation in the country. Progress continues towards implementing the recommendations of our National Consultative Peace Jirga, which constitutes the core of our reconciliation efforts. Now that we have come halfway, it is the Taliban's turn to fulfil its responsibility. If the Taliban wants to join peace talks, it must end violence and terrorist attacks, including suicide bombings, the planting of improvised explosive devices, kidnappings and targeted assassinations, and sever ties with Al-Qaida and other terrorist groups.

We must also anticipate the challenges we will face going forward. The biggest issue — not just for Afghanistan, but for any post-conflict country — is the sustainability of peace. The functionality of institutions is necessary; a country must have the resources, human capital and capacity to stop the threat of insurgency if it is to avoid relapsing into conflict. Capacity-building is essential if State institutions are to operate effectively. Empowering State institutions means enabling a national Government to provide services for its citizens.

In any post-conflict setting, sustained international engagement in the institution-building stages beyond military involvement is necessary for peacebuilding efforts to endure. In Afghanistan, an additional component of the stabilization process is effective regional cooperation. Progress is at risk of unravelling if these partnerships do not remain strong.

Democratization in post-conflict countries is a multidimensional challenge. We have learned from our experience that the democratization process requires sustained security, as well as political and development support. However, as has been emphasized time and again, democracy grows from within and external actors can only support it. The international community and key national stakeholders must work collaboratively with integrative strategies to provide effective support for democratization.

In the coming years, national ownership and leadership with continued international partnerships will be key for Afghanistan. The adoption of the Kabul process involves greater Afghan responsibility for security, development and governance in the country. The significant increase in the amount of international funding channelled through the Afghan Government reflects renewed support for national ownership. The Afghan Government is committed to assuming full responsibility for security efforts with the support of the international community by the end of 2014. It is a gradual and conditions-based process that relies upon support for the building of the Afghan security forces' size, strength and operational capability.

Building peace by developing institutions can help address the causes of conflict. However, it is necessary to end violence in order to create an environment in which institutions can flourish. Progress can be destroyed when conflict flares up. We must not forget the lessons we have learned in Afghanistan. A school or clinic built in six months can be destroyed in only six minutes by the Taliban or other extremists. Furthermore, the importance of effective international partnerships during post-conflict situations cannot be overestimated. In this regard, adequate resourcing and capacity-building are preconditions for ensuring lasting peace.

The President: There are still a number of speakers remaining on my list for this meeting. I intend, therefore, with the concurrence of Council members, to suspend the meeting until 3 p.m.

The meeting was suspended at 1.10 p.m.

United Nations S/PV.6472 (Resumption 1)

Security Council

Sixty-sixth year

Provisional

6472nd meeting

Friday, 21 January 2011, 3 p.m.
New York

President:	Ms. Čolaković/Mr. Jerkić	(Bosnia and Herzegovina)
Members:	Brazil	Mr. Pontes
	China	Mr. Huang Hongjiang
	Colombia	Mr. Calderón-Velásquez
	France	Mr. Marchetti
	Gabon	Mr. Ngyema Ndong
	Germany	Mr. Eick
	India	Mr. Gupta
	Lebanon	Ms. Tawk
	Nigeria	Mr. Edokpa
	Portugal	Mr. Vaz Patto
	Russian Federation	Ms. Eloeva
	South Africa	Ms. Rulumeni
	United Kingdom of Great Britain and Northern Ireland	Mr. Harvey
	United States of America	Mr. Banks

Agenda

Post-conflict peacebuilding

Institution-building

Letter dated 10 January 2011 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General (S/2011/16)

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The meeting resumed at 3.10 p.m.

The President: I again wish to remind all speakers to limit their statements to no more than four minutes, in order to enable the Council to carry out its work expeditiously. I would also like to remind delegations with longer statements that they may circulate them in writing.

I now give the floor to the representative of Costa Rica.

Mr. Ulibarri (Costa Rica) (*spoke in Spanish*): I would like to begin by thanking the delegation of Bosnia and Herzegovina for its initiative in convening this open debate. I would also like to thank Deputy Prime Minister José Luis Guterres of Timor-Leste, Secretary-General Ban Ki-moon and Ambassador Peter Wittig for their opening briefings.

Costa Rica has decided to participate in this important debate because we believe that we can contribute some pertinent ideas and experiences on institution-building as a way to consolidate peace and improve the well-being of people in the aftermath of conflict. To recall the historical background, in 1948 our country went through a brief civil war brought on by elections disputes. What made this case different from so many others was that the victorious Government junta soon handed over power to the legitimately elected authorities, abolished the army and convened an assembly that issued the Constitution that still governs us today. Those institutional decisions, along with longstanding political, economic and social values and dynamics, explain our continued stability and internal peace in a region that has so often been affected by conflict.

During the 1980s, when wars were bloodying Central America, our country played a key role in setting a course towards peace. On 7 August 1987, the Presidents of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua signed the accord known as Esquipulas II, in which they committed themselves to initiating national dialogue processes aimed at ending internal hostilities, holding free and fair elections and forging a peaceful and democratic future.

The success of this process was primarily the result of the willingness of local actors, who were exhausted by violence and aware that the imminent end to the Cold War would cease to fuel hostilities. However, the active participation of the international community and the existence of regional leadership to guide those efforts also played an essential role. That leadership was embodied by Presidents Vinicio Cerezo Arévalo of Guatemala and Óscar Arias Sánchez of Costa Rica, who was awarded the Nobel Peace Prize for his efforts. For their part, the Organization of American States and the United Nations were able to coordinate efforts to promote national and regional willingness to support the process and ensure the implementation of agreements.

Various lessons can be learned from this situation, as reflected in the elements to which I have just referred. What was key to consolidating peace, however, was understanding that a cessation of hostilities would be to little avail if the regional agreement and the national accords that ensued in Nicaragua, El Salvador and Guatemala did not address the root causes of the conflicts. That understanding was also the reason for the decision to set up local political, institutional and socio-economic follow-up mechanisms, along with valuable international support.

Central America's evolution since that time also led us to understand that if challenges are not addressed in time they can weaken peace processes, place democracy at risk and even damage relations between neighbouring nations. Our region buried its internal wars, promoted democratic processes and opened up uncertain paths towards improving people's well-being. However, this did not necessarily bring with it a vigorously inclusive development process, an end to violence — now criminal in nature — or the widespread consolidation of democratic institutions and practices. Today some Central American countries are among the world's most violent. Moreover, one country recently violated the principles of sovereignty and territorial integrity. To varying degrees, all of this endangers peace and coexistence at both the local and regional levels.

But from those missteps come important lessons about post-conflict institution-building, to which I should now like to turn.

First, we should design policies that, in addition to promoting post-conflict stability and economic development, also contribute to the widest possible enjoyment of their benefits. Social inclusion is key to peace.

Secondly, in countries with a large percentage of young people such as ours, it is crucial to increase opportunities for youth in the areas of education, recreation and employment. Without that, both the temptations posed by gangs and organized crime and the continuing cycle of poverty may prove to be unavoidable.

Thirdly, the establishment of institutions, including political parties, must be accompanied by good political practices. Without observing such practices, institutions can become victims of corruption and manipulation, or become simply window dressing for authoritarianism, arbitrary rule and adventurism.

Fourthly, the effectiveness and independence of judicial authorities is another key factor to lasting peace, given that the judiciary is the ultimate resort for the peaceful resolution of conflicts and the most obvious barrier to impunity and crime.

Fifthly, we must keep in mind that it is more difficult to entrench a genuine culture of democracy and peace than to establish institutions. Peace and democracy education is therefore essential.

Finally, fostering an independent and vigorous civil society, a free and honest press and a culture of accountability also substantially increases prospects for peacebuilding.

To sum up, we believe that actions should lead to comprehensive approaches to conflicts, both in order to resolve them and to consolidate the progress made. The role of the United Nations, and of the Security Council in particular, is key to that end; as is the guidance provided by the Peacebuilding Commission. An essential part of the mission of the United Nations must be working as part of the ongoing processes of conflict prevention, peacekeeping and peacebuilding, including the promotion of development, institutions and a culture of peace and democracy.

That necessarily implies a joint effort by all organs and agencies of the United Nations at every stage of those processes, as well as the determination not to act only when weapons are fired but when threats appear. That is something that must of course start with a serious political commitment.

The President: I give the floor to the representative of Uganda.

Mr. Lukwiya (Uganda): I thank the presidency of the Council for organizing this important debate on post-conflict peacebuilding. I also thank the Secretary-General, the Deputy Prime Minister of Timor-Leste, and the Chairman of the Peacebuilding Commission for their insightful statements this morning.

Uganda welcomes the increasing emphasis on the need to ensure that post-conflict peacebuilding activities are carried out in a more coordinated, coherent and effective way. Post-conflict countries face a number of challenges, including insecurity, weak or non-existent State institutions, the resettlement of internally displaced persons and refugees, reconstruction and economic recovery, which are often compounded by lack of resources. It is therefore essential that peacebuilding efforts be underpinned by recognition of the need to address the root causes of conflict and to build effective national institutions for sustainable peace and development.

In this regard, the primary responsibility for re-establishing and building the institutions of governance lies with national authorities, supported by international partners, including regional organizations and the United Nations. In Uganda's experience, the building of national institutions requires identifying key priorities based on a country's specific needs. This should be followed by developing and agreeing on a national strategy to address them, and by mobilizing the requisite political, financial and technical support and resources. Given the competing demands on scarce resources, it is important to sequence implementation beginning with the most urgent priorities. These include guaranteeing security of life and property, national reconciliation, adherence to the rule of law, and promoting democratic governance. It is also important to develop and implement a national economic recovery programme.

In order to build effective national institutions in post-conflict situations, these must enjoy popular support and legitimacy to overcome the distrust and suspicion that follow conflict. One way to achieve public trust and legitimacy is by ensuring that institutions are responsive to the needs of the populations and that decision-making is consultative and participatory. There is also a need to focus on delivering tangible dividends, including the provision of basic services and the improvement of the standard of living of the population. In cases where gross violations of human rights have been committed, justice must be done so that those responsible are held accountable.

The major challenge post-conflict countries face in building national institutions is mainly the lack of financial resources and technical expertise in various fields. We welcome the increasing engagement of the United Nations, through the Peacebuilding Commission, regional and international partners, and international financial institutions in support of national capacity development and improving mobilization of resources for peacebuilding. The best and most sustainable approach is to build on existing national human resources and capacities. Where technical expertise and assistance are provided, emphasis should also be placed on building national capacities to undertake those responsibilities.

Finally, we look forward to the imminent completion of the Senior Advisory Group's review of international civilian capacities and its recommendations for improving the international response by strengthening the availability and appropriateness of civilian capacities for post-conflict peacebuilding. Of particular interest will be proposals on how best to mobilize and organize specific civilian capacities from the global South and among women, and on how to ensure that their deployment enhances the building of national capacities. Uganda reiterates the importance of women's full participation in post-conflict peacebuilding and involvement in institution-building.

The President: I give the floor to the representative of Morocco.

Mr. Bouchaara (Morocco) (*spoke in French*): My delegation congratulates you, Madame, on your country's leadership and proactive work since assuming the presidency this month. There is no doubt that today's debate will complement those we have already held on the important issue of peacebuilding and the ways and means of guaranteeing the building or rebuilding of State institutions in order to maintain peace in the post-conflict context.

While we associate ourselves with the statement made by the representative of Bangladesh on behalf of the Non-Aligned Movement, my delegation should like to focus on the following points.

Since 1992, the total number of armed conflicts has been reduced by 40 per cent. According to the World Bank, the financial costs of ongoing conflicts throughout the world, and in particular in Africa, are estimated at some $54 billion. These figures underscore the magnitude of the work that remains to be done and the critical value of strengthening the institutional capacities of States in the post-conflict context. The emergence of lasting peace often involves the management of the critical phase of transition between peacekeeping and peacebuilding. In that transition phase, rebuilding and strengthening the institutional capacities of States emerging from conflict is of particular importance, given the numerous dangers of backsliding.

In that respect, coordination between local and international stakeholders is critical to stabilizing the host country. It has been noted, however, that one of the main challenges to peacebuilding is ensuring the consistency and coordination of the work of international actors. Too often, the United Nations and its international partners act without sufficiently involving the authorities of the host country. A space must be created in which the host country can take ownership of the project in order to lay the foundations of lasting peace.

These observations encourage us to focus our collective thinking on the best way to take the existing institutional capacities of the host country into consideration and to strengthen them. We must not misidentify our objectives. Peacebuilding missions must support and not compete with national institutional capacities. Thus, a United Nations post-conflict presence must ensure that national strategies are formulated with the host country with a focus on priorities that include the strengthening of the institutional capacities of the host, the restoration of the rule of law, and reform of the security and judicial sectors.

In the framework of such a vast undertaking, it is critical that United Nations efforts be effectively coordinated in order consistently to address the establishment of peace, peacekeeping, peacebuilding and development so that swift and effective action can be taken immediately after a conflict. The Peacebuilding Commission plays a key role in that respect.

During the transition between peacekeeping and peacebuilding, the United Nations has a key role to play in assisting national authorities from the very outset in drafting a strategy to establish and strengthen State institutional capacities. It goes without saying that international partners must align their financial, technical and political support with that strategy. The

Kingdom of Morocco stresses the importance for national authorities to take ownership of peacebuilding and to shoulder as soon as possible the responsibility for rebuilding State institutions, restoring the rule of law, revitalizing the economy and reforming the security sector and the judiciary so as to ensure that basic services are provided to meet the basic needs of the people.

In that regard, an integrated approach to peacebuilding must be developed by creating synergies and necessary coordination between national and international structures. Numerous lessons can be drawn from the work of the various country configurations of the Peacebuilding Commission, in particular those linked to the implementation of institutional capacity-building programmes. It should be underscored that the establishment or re-establishment of State institutions goes hand-in-hand with economic revitalization. Socio-economic activities have a quick impact and help to strengthen State institutional capacities in the post-conflict period. Emphasis should therefore be placed on such catalytic areas as youth employment, infrastructure development and the provision of such basic services in the areas of sanitation, drinking water and health.

We cannot emphasize enough that the peacebuilding phase is crucial to stabilizing a country. Statistics indicate that 40 to 50 per cent of all conflicts are the result of relapse. That points to the great importance of peacebuilding, which is above all a collective undertaking. The challenges it presents cannot be overcome without the active involvement of the international community in strengthening State institutional capacity. That illustrates the crucial need for arriving at a partnership approach to peacebuilding between the host country, the United Nations and donors. In that regard, we welcome the increased coordination and coherence between the Peacebuilding Support Office and the World Bank in the area of peacebuilding, whose goal must of course be to establish that same spirit of partnership.

Given that peacebuilding is above all more of a civilian than a military endeavour, it is essential to ensure necessary civilian capacities in critical areas of host country institutional recovery, especially in the areas of training, public administration and judicial and good-governance capacity-building.

In conclusion, peacebuilding cannot be effective without establishing robust institutional capacities based on the rule of law and good governance. The best way to ensure that a State can move towards peace is to develop its institutional architecture by consolidating the rule of law and guaranteeing more effective and inclusive public administration on behalf of the population concerned.

The President: I now give the floor to the representative of Japan.

Mr. Nishida (Japan): At the outset, Japan extends its congratulations to Bosnia and Herzegovina on its assumption of the presidency of the Security Council. Japan convened an open debate on peacebuilding at the Council last April (see S/PV.6299). We are thus heartened by the holding of this meeting, which serves to highlight the success of Bosnia and Herzegovina as a country that has experienced the post-conflict peacebuilding process, as well as to provide encouragement for others currently undergoing that process. We also appreciate the briefings by the Secretary-General, His Excellency Mr. José Luis Guterres of Timor-Leste and Ambassador Wittig of Germany, Chair of the Peacebuilding Commission (PBC).

Japan attaches a great importance to institution-building. Based on our own experience in reconstruction, valuing national ownership is the primary principle of our development assistance. In that context, discussion on the role of the Security Council in promoting institution-building is relevant. I would like to offer three points from Japan's perspective.

First, the Security Council should utilize the PBC more proactively. I shall return to this issue later.

Secondly, there is a global shortage of civilian capacity for institution-building. There is therefore an urgent need for fostering such capacity. In order to facilitate the training for and the expeditious deployment of such capability, we believe that the Security Council must review and implement the conclusions of the upcoming report by Mr. Guéhenno in a timely manner.

Thirdly, as the mechanism for partnership in peacebuilding is complex and involves various stakeholders, the Security Council must promote strong leadership on the ground to enable United Nations representatives and the Government concerned to work together towards solutions, taking into account the specificity of the situation. We also hope that the Secretary-General will appoint strong special representatives, giving particular consideration to women candidates. We hope that Member States will cooperate in submitting appropriate nominees.

Concerning the PBC, the Security Council should tap further into its potential. We believe that will contribute significantly to the Council's decision-making process.

First, the PBC has been holding consultations on some countries on the agenda more frequently than the Security Council itself, including with the participation of the countries concerned and international organizations. Building a stronger link between the deliberations at the two bodies will contribute to providing solutions to various peacebuilding issues. Last year, Japan facilitated the holding of an informal dialogue of the Council with the PBC. The Security Council should consider holding such informal dialogues on a more regular basis, which will also contribute to better relationships with host countries.

Secondly, the PBC can be used as a forum for discussing exit strategies for peacekeeping missions. Liberia could serve as a test case in that regard when determining whether we can arrive at a successful exit for peacekeeping mission in order to handover to peacebuilding partners. We also heard from the representative of Timor-Leste today that his country needs a smooth transition from peacekeeping to assistance from development partners. In that context, it is worthwhile to consider placing a country on the agenda of the PBC in order to provide more effective international support in the transition phase. The PBC could increase the number of countries on its agenda and seek to determine the best strategies to assist post-conflict countries based on lessons learned.

Thirdly, the PBC is also a valuable forum for raising international awareness and mobilizing resources. With that in mind, Japan intends to add approximately $13 million to the Peacebuilding Fund. We hope to utilize the Fund to more effectively fill the gap between peacekeeping and peacebuilding. We urge other countries to contribute to the Fund as well.

In conclusion, let me reiterate Japan's appreciation for the holding of today's meeting focused on institution-building, which is a fundamental element of the peacebuilding process. Japan will continue to contribute actively in this field, including through exploring the expanded utility of the PBC.

The President: I now give the floor to Mr. Peter Shwaiger, Deputy Head of the delegation of the European Union to the United Nations.

Mr. Shwaiger: Let me start by thanking Bosnia and Herzegovina for organizing this debate on institution-building in the context of post-conflict peacebuilding. Your country, Madam President, has first-hand experience of the importance of a topic such as this and how deserving it is of the Council's attention. I also want to thank the Secretary-General, the Deputy Prime Minister of Timor-Leste and Mr. Peter Wittig, in his capacity as Chair of the Peacebuilding Commission (PBC), for their statements this morning.

The following countries align themselves with this declaration: the candidate countries Turkey, Croatia, the former Yugoslav Republic of Macedonia, Iceland and Montenegro; the countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina and Serbia; the European Free Trade Association country Norway, member of the European Economic Area; as well as Ukraine, the Republic of Moldova and Armenia.

"Nothing is possible without men, but nothing is lasting without institutions". That is a quote from Jean Monnet, the chief architect of European unity. The late Richard Holbrooke, the chief architect of Bosnia and Herzegovina's Peace Accord, once invoked those words when arguing that one cannot build peace without building institutions. As the concept paper (S/2011/16, annex) for today's debate underscores, national authorities are in the lead here, but the international community has an important supporting role to play. From our side, for the sake of brevity, let me highlight just three elements that we think are particularly relevant today: coordination, civilian deployment capacities and civil society involvement.

First is better coordination of the different international actors on the ground, including international financial institutions and bilateral donors. The Secretary-General's 2009 report on peacebuilding (S/2009/304) stated that it was incumbent upon the United Nations to spearhead such coordination, especially in the earliest phase. It also stated that that calls for stronger, more effective and better supported United Nations leadership teams on the ground. However, as the Secretary-General also acknowledged, those United Nations leadership teams, as well as the wider international community, need more clarity from New York on the roles and responsibilities of the various United Nations entities for the critical peacebuilding sectors. We hope to see further advances towards a more rational division of labour, including through incentives to cooperate and harmonize, and we encourage the Secretariat, funds and programmes to press on with the reforms.

Also, the potential of the Peacebuilding Commission (PBC) should be further unlocked through a strengthened link with the field so that United Nations leadership teams on the ground can profit more from its strategic guidance and political clout, including when it comes to institution-building. Furthermore, I would like to reiterate here the Secretary-General's remark that the Security Council could profit more from the PBC's recommendations in the Council's own early consideration of post-conflict situations, especially when there is a peacekeeping mission on the ground. That would help to tie a mission's activities into the wider coordinated peacebuilding and institution-building effort in a particular country. Let us not forget that successful institution-building, particularly in the security and justice sectors, helps pave the way towards the sustainable exit of any peacekeeping mission.

The second element that I want to mention is civilian deployment capacities. The European Union attaches great importance to the review currently under way in that area. A key task of the review's Senior Advisory Group is to develop proposals to ensure that the deployment of civilian experts in post-conflict countries serves the goal of building national capacity. We look forward to receiving the results of that civilian capacities review soon, and hope that they will be in the form of concrete and realistic objectives and recommendations, to be given appropriate follow-up.

The goal is a more demand-driven, dynamic and flexible civilian deployment that builds on existing national capacities and exhibits a strong South-South character. We hope that the review will chart a path to, for example, the increased global availability of civilian experts for post-conflict situations and the seamless interoperability of civilian capacities within the United Nations system and between the United Nations and other key players, such as regional organizations.

Another important point for us is the enhanced deployment of female civilian experts, in the spirit of resolution 1325 (2000) and the Secretary-General's action plan on ensuring women's participation in peacebuilding. Post-conflict institutions cannot be effective unless they are gender-equitable.

The third and last element that I will mention is civil society involvement. Bolstering civilian oversight mechanisms and local civil society organizations and giving those organizations a seat at the peacebuilding table from day one will enhance the legitimacy and demand-driven nature of both the priorities and the institutions devised there. That is what guides much of the European Union's institution-building assistance around the world.

For example, in Timor-Leste, in the framework of cooperation with Portuguese-speaking countries, the European Union, at the request of the Government and together with the United Nations Development Programme, is working hard to strengthen the capacity of Parliament and the media. Among other things, we will provide media training to parliamentarians and organize seminars for journalists on the role and the functions of parliament in the democratic process.

Furthermore, the European Union has recently funded extensive research on participatory approaches to justice and security sector reform in a number of conflict-affected countries. We are happy to share the results of that exercise with interested partners. Finally, European Union security sector reform programmes, developed jointly with Governments in places such as the Central African Republic and the Democratic Republic of the Congo, revolve around increased civilian and parliamentary oversight and accountability to citizens.

It is important to draw strategic lessons, as we are doing today, and to make them available in field manuals. At the same time, we are aware that one-size-fits-all solutions do not exist and that institution-building efforts will always have to be tailored to the specific post-conflict conditions on the ground. As the concept paper points out, national actors know those conditions best, and that is one reason that they should be in the lead. At the end of the day, successful institutional development cannot be transplanted from elsewhere, but is home grown. That is why we are always happy to hear from the countries themselves, for example through today's statement by Deputy Prime Minister José Luís Guterres, whose country now chairs the Group of Seven Plus and co-chairs the International Dialogue on Peacebuilding and Statebuilding.

Supporting home-grown institutional development has long been at the heart of much European Union assistance, be it in the Balkans, the Middle East, Africa, Afghanistan or Haiti. We would like to reaffirm our commitment to pursuing that cause and to working with national authorities, the United Nations, other international actors, civil society organizations and the people in post-conflict countries themselves.

The President: Before I give the floor to the next speaker, I wish once again to remind all speakers to limit their statements to no more than four minutes in order to enable the Council to carry out its work expeditiously.

I now give the floor to the representative of the Republic of Korea.

Mr. Kim Bonghyun (Republic of Korea): I will surely limit my statement to four minutes.

At the outset, I would like express my appreciation to you, Madame President, for organizing this meaningful open debate on post-conflict peacebuilding and institution- building.

The scourge of armed conflict causes massive loss of life and unquantifiable societal loss. At the same time, it also severely destroys the key institutions of the nation and, eventually, the Government cannot function properly in support of the daily life of the people. Sixty years ago, the Republic of Korea suffered a devastating and sustained conflict. Therefore, we recognize that fact all too well.

After the cessation of conflict, the building of institutions should commence at the earliest possible juncture. Indeed, post-conflict institution-building should be part of a holistic peacebuilding approach. Working side by side with humanitarian relief and long-term development assistance are important features. The window of opportunity in post-conflict situations is short-lived. Therefore, it must be seized upon to prevent a relapse into violence, which happens mostly within the first decade following a conflict.

To harness the synergy and increase the possibility of success on the ground, peacekeeping, peacebuilding and sustainable development should be pursued in parallel. In addition, both entry and exit strategies need to be planned from the initial stages, as well.

Peacebuilding operations should be executed in a way to further strengthen and respect national ownership and the priorities of the recipient countries. The ultimate goal of peacebuilding is to stabilize the post-conflict situation and to establish a basis for long-term sustainable development. Institution-building is inherent in that formula for success. To that end, international organizations, financial institutions and civil society also have an integral role to play.

In that regard, partnership among all stakeholders should be strengthened, with the Peacebuilding Commission playing the role of facilitator. Within the United Nations system, relations among the Commission, the Security Council and the General Assembly need to be further defined in a more strategic and coordinated manner. Outside the United Nations system, we need to make further efforts to establish constructive relations with the Bretton Woods institutions, including the World Bank and the International Monetary Fund, as well as regional and non-governmental organizations. Considering the increasing role of the private sector in the peacebuilding arena, we also need to continuously engage civil society and other players in the private sector.

Institution-building must ensure that the basic capacity of a nation is restored at the earliest possible time in order to stabilize the fragile post-conflict situation. The rule of law, effective governance and security-sector reform are the areas that require the highest priority. Our efforts in any new peacebuilding area of responsibility need to be focused on restoring those basic functions of a country for both short-term and longer-term sustainable success.

Once again, closer linkage and coordination between the Security Council and the Peacebuilding Commission is crucial in carrying out peacebuilding mandates and helping countries to meet multifaceted post-conflict demands in the field. The challenges identified during the first few years of the Commission's operation only reinforce the importance and critical value of this linkage. Consolidating and bolstering this relationship will help rebuild lasting institutions in post-conflict areas.

An essential goal of peacebuilding is to present a blueprint of political and socio-economic development for the recipient country, with due consideration to both its potentials and limits. In this process, the building of sustainable institutions is the fundamental groundwork for a country to effectively recover from conflict. In conjunction with effective institution-building, we believe that particular emphasis should be placed in the areas of vocational training and education for youth in order to ensure a more prosperous future for all.

In bringing my remarks to a close, I would like to highlight that just half century ago, the Republic of Korea was a country striving to recover from a devastating war. With the timely and efficient assistance of the international community and the United Nations, we were able to attain stability and development in a relatively short period. From our own experience, we understand and value the importance of institution-building activities.

Against that backdrop, Korea has been contributing to the Peacebuilding Fund on a regular basis and has been a member of the Organizational Committee of the Peacebuilding Commission during the past few years. We hope that Korea's peacebuilding activities within the United Nations will offer a valuable opportunity for us to utilize our past experiences. We want to help facilitate the efforts of post-conflict countries to rebuild and develop their institutions and societies and, in turn, the dreams of future generations.

The President: I now give the floor to the representative of New Zealand.

Ms. Cavanagh (New Zealand): I would like to thank the delegation of Bosnia and Herzegovina for convening today's open debate. In the interest of time, I will deliver a shortened version of my statement. Hard copies of the full version are being circulated.

Experience has shown that laying the foundations for effective Government institutions is fundamental to securing durable peace. However, despite the global community's best efforts, it is easier to point to examples of qualified failure than to any of unqualified success. Put simply, institution-building is inherently difficult. No clear blueprint exists for doing it effectively. Considerable work remains to be done to develop our understanding of best practices and the practical tools to do the job.

New Zealand has been an active participant in peacebuilding efforts in our region and beyond, including as a significant contributor to United Nations and United Nations-mandated operations in Timor-Leste, Bougainville, Afghanistan and Solomon Islands. I would like to share the following lessons we have drawn from our past involvement in institution-building in post-conflict societies.

First, missions with an institution-building component must make national capacity-building a core consideration in their planning and operations from day one. That requires a careful assessment of existing domestic capacities and priority capacity-building needs from the earliest stage of mandate formation. It is crucial that those assessments also include how the benefits of institution-building can be spread beyond capital cities to regions and local communities. It is important that consideration be given to how a mission's activities can best foster national capacities and, conversely, how to avoid displacing such capacities or stifling their emergence. Effective institution-building also requires a clear definition of the specific objectives being pursued and of how assistance will transition to traditional development partners once those have been achieved. At the same time, it is important to balance that clarity in direction and goals with sufficient flexibility to enable mission leadership to adapt to changes on the ground.

Secondly, institution-building must be pursued in accordance with nationally agreed priorities and objectives. That is crucial to ensuring national ownership, effective coordination and a greater chance that capacities built will be sustained over the long term. An inclusive approach to priority-setting is required. Local communities and civil society play a crucial role in holding together conflict-affected societies.

Thirdly, institution-building assistance must be grounded in a clear-eyed assessment of what capacities are appropriate and sustainable over the long term. Missions must ensure that the institutions they help develop are capable of surviving their departure without placing excessive strain on host Governments. To do otherwise is to risk generating expectations that cannot be fulfilled or to set States up for long-term dependence on external assistance.

Fourthly, coordination of institution-building assistance is crucial to ensuring its coherence and effectiveness. Important strides have been made within the United Nations system on delivering as one. But that remains a work in progress. It is particularly important that clarity be established early on among actors and leadership teams on the ground regarding respective roles and responsibilities. Better coordination is also required with other actors, notably international financial institutions, bilateral donors and civil society. In particular, we welcome ongoing efforts by the Secretary-General to enhance United Nations-World Bank coordination on post-conflict institution-building. Significant scope still remains to make such coordination work more systematic and effective.

Fifthly, there must be a clear recognition of which institution-building tasks Council-mandated missions should lead on and which tasks other actors are better equipped for. United Nations missions have a crucial role in carrying out immediate stabilization tasks, in supporting the early development of core State institutions essential for maintaining stability and security, in the early articulation of institution-building priorities and in facilitating the delivery of assistance by others. However, many institution-building challenges remain better suited to agencies and donors with a longer-term focus and with a greater accumulation of relevant skills and experience.

Finally, there is an urgent need to enhance the United Nations ability to identify and deploy relevant civilian expertise in a timely manner. Effective institution-building requires a complex and diverse mix of skills. Recent experience has made it clear that existing mechanisms for generating such expertise are inadequate. Too often the expertise provided is determined by available supply, rather than identified need. Too often the process of identifying and deploying experts drags on for a year or more. And too often the ad hoc manner of its supply results in a plethora of actors with differing approaches and advice.

If we are truly serious about the United Nations playing a leading role in post-conflict institution-building, there is an urgent need to significantly strengthen the United Nations ability to rapidly identify and deploy appropriately skilled civilian experts. To achieve that, the Secretariat requires greater flexibility to mobilize and utilize existing expertise within the United Nations system. It needs to explore more flexible arrangements for utilizing the resources offered by Member States. We also need to consider how the United Nations can better draw on external pools of relevant civilian expertise, particularly those from the global South. We hope the upcoming report of the review of international civilian capacities will provide concrete suggestions in these areas.

We have much to learn about how post-conflict institution-building is best carried out and much work to do to provide ourselves with the tools necessary to undertake these tasks successfully. But it is vital that we do learn the lessons, both positive and negative, from our collective experiences to date, if we are to meet the goals we have set ourselves in this area.

The President: I now give the floor to the representative of Mexico.

Mrs. Morgan Sotomayor (Mexico) (*spoke in Spanish*): My delegation would first like to commend the Government of Bosnia and Herzegovina for its initiative in convening this debate. Mexico agrees with the importance that Bosnia and Herzegovina places on the need to include institution-building as a principal element in peacebuilding strategies.

We also recognize the fact that when conflicts are resolved through a peace agreement or ceasefire between the parties, there is a greatly increased risk that those conflicts could break out anew in the post-conflict phase. However, such occasions also provide opportunities to build the basic capacities needed to ensure that peacebuilding efforts take hold. Success is most likely if the political will and readiness to forge consensus on the part of national actors, however minimal, are seized in a timely and rapid way under the favourable political conditions that generally emerge in the phase immediately following the signing of a peace agreement or ceasefire.

When there is no civil authority, the top priority for the population is the reestablishment of a feeling of security. Once progress is made in the area of security, a variety of measures need to be implemented, such as the restoration of Government institutions that are seen as representing the whole population and having sufficient legitimacy to introduce reforms to transform systems and structures from the past that may have contributed to the socio-economic inequality that led to violence.

During our recent membership of the Security Council, Mexico noted that, in general, in countries emerging from protracted conflict, attention is focused on humanitarian assistance and recovery as immediate priorities. In that regard, support for institution-building is left to a later stage, which undermines the capacity of the State to put in place conditions for stability, national reconciliation, respect for human rights and the promotion of long-term development.

My delegation would like to recall that, during one of our terms as President of the Council, we convened a debate on the strengthening of the rule of law in the context of the maintenance of international peace and security. On that occasion, the importance of post-conflict capacity-building was recognized, in particular building civil society capacity as a key element for strengthening the rule of law and laying the foundations of lasting peace.

Mexico believes that one essential task of the Council is to set mandates for peacekeeping operations that strengthen the rule of law within countries in or emerging from conflict. My country therefore appreciates and welcomes the fact that the Security Council is increasingly incorporating this concept into its decisions.

In that context, we reiterate that the immediate priority in post-conflict situations must be supporting the country to restore its institutions, including in the initial phase, with the establishment of internationally supported transition institutions, but also with the decisive involvement of local capacities to ensure national ownership and subsequent self-sustaining development.

In these efforts, as recognized in the report (S/2010/393, annex) of the 2010 review of the Peacebuilding Commission (PBC), co-facilitated by Mexico, the Peacebuilding Commission must play a more relevant role in providing advice and in drafting and implementing peacebuilding strategies. It must also strengthen its coordinating role and its strategic relationships with other United Nations bodies, regional organizations and international financial institutions.

It is important for the PBC to ensure that international assistance is in keeping with national priorities and assists in building institutional capacities in crucial peacebuilding areas. Mexico reiterates the importance of establishing greater international civil capacities in a fast, effective, coherent and coordinated way in countries emerging from conflict. In particular, we should take advantage of the capacities of the southern hemisphere and the potential of women, taking account of their crucial role in peacebuilding processes. In that regard, we hope that the next report of the Secretary-General on post-conflict peacebuilding will include recommendations for strengthening the capacity of the international community and the United Nations to support national institutions.

The President: I now give the floor to the representative of Nepal.

Mr. Acharya (Nepal): At the outset, let me express my delegation's sincere appreciation to you, Madam President, for having organized this important debate and prepared a comprehensive concept paper (S/2011/16, annex). Nepal has emerged from conflict and is making efforts to consolidate the gains made in the areas of peace, stability and development. We are therefore aware of the importance of deliberations such as these.

Peacebuilding is an important new dimension of our work, which calls for targeted but coherent and coordinated efforts on the political, security, humanitarian and development fronts. These efforts cannot be made in the absence of effective networks for institution-building. In the aftermath of conflict, many State institutions either collapse or become dysfunctional. Even short-term goals such as delivering humanitarian assistance and basic services become extremely difficult, let alone the provision of functional, effective governance, which is the foundation of economic revitalization and sustainable development. It is therefore important to give due priority to the institution-building aspect in planning and setting mandates for United Nations field missions, whether they come under the political, peacekeeping or peacebuilding category.

Here it is also important to stress the critical role of institution-building in the context of a civilian capacity-building review process. We cannot overemphasize the importance of capable State institutions in restoring people's hope for a better future. The credibility and legitimacy of a Government emerging from conflict is critical, and very much depends upon ensuring basic services for people. Institutions are important bridges for restoring trust between the State and citizens. It is critical for there to be a minimum level of political willingness to take the country from conflict to peace, stability and economic development via concrete programmes.

Institution-building cannot be done in a political vacuum. Gender mainstreaming and the participation of civil society must be factored in during the peacebuilding process. North-South, South-South and triangular cooperation should be fully utilized in building institutions in a post-conflict situation.

National leadership and ownership are key ingredients of sustainable peacebuilding. They can be strengthened only by capacity-building and institution-building. National leadership will take into account local sensitivities and the political context in a coherent manner. We should encourage all national stakeholders to engage in dialogue, identify the best possible solutions to their problems and play a leading role in the implementation process. The country must be engaged in a meaningful way so as to ensure that it remains in the driver's seat, confident in a sustained and durable peacebuilding process.

The international community should lend all the support needed to achieve such a transition. The process following a devastating conflict is a gradual one, but there is no alternative to it. And institution-building plays a very important role in that.

It has already been established that sustained attention, long-term predictable and flexible financing and strong technical cooperation are important for preventing countries from relapsing into conflict. If these conditions can be achieved, it will be possible to consolidate peace and distribute its dividends more widely among the general population.

The Peacebuilding Fund has proven its usefulness in terms of flexible financing. But that is not enough. The World Bank and the other development partners must come up with sufficient financing and technical cooperation to invest in nationally owned development agendas. Institution-building should be an integral part of that. United Nations coordination will ensure the coherence of these efforts.

It is pertinent to recall that one of the aims in creating the Peacebuilding Commission was to focus attention on the institution-building efforts needed to recover from conflict. In that regard, country-specific configurations have a specific responsibility to encourage all stakeholders to work coherently on the basis of an agreed peacebuilding strategy. Some institutions may need to be revived, while others may need to be created. But in doing that, we must ensure that there is strong buy-in to the process among all national stakeholders.

It is evident that a strong sense of partnership among United Nations missions and agencies, Member States, regional organizations, international financial institutions and national stakeholders must be developed. In doing so, restoring and creating necessary State institutions and developing capacities should be made top priorities so as to ensure that peacebuilding functions are carried forward in a sustainable manner. Specific benchmarks and a coordinated strategy are critical. The ultimate goal of international support measures is to create an effective State that can deliver peace and prosperity to its people on its own. That will only be possible by strengthening institutions in the countries themselves.

The President: I now give the floor to the representative of Australia.

Mr. Quinlan (Australia): I would like to thank Bosnia and Herzegovina for convening today's debate. I also wish to thank the Secretary-General for his statement and Deputy Prime Minister Guterres of Timor-Leste for his insightful comments today. Timor-Leste itself is a nation that has faced immense challenges but has demonstrated strong, effective leadership over its own institution-building process. It is to be congratulated on its commitment to sharing that experience with others and on continuing to call for more effective international support to post-conflict States, including as Chair of the Group of Seven Plus, to which Australia is very pleased to provide support.

I also would like to thank the outgoing Chair of the Peacebuilding Commission, Ambassador Wittig, for his contribution to the debate. Australia remains a strong supporter of developing a more organic relationship between the Council and the Commission.

Australia's own experience over the past decade in supporting post-conflict institution-building, particularly in Timor-Leste, the Solomon Islands and Bougainville, Papua New Guinea, has yielded many lessons. Perhaps most important, and one that has been central to the debate today is that national leadership and ownership are fundamental to success. Assistance should support national priorities and objectives, and careful consideration must be given to how assistance can best foster national capacities and, more importantly, avoid stifling them.

The process of institution-building — and it is a process — must be timely, flexible and sustainable. Planning and implementation need to start as soon as possible in the project, and also progress at a pace and in a manner appropriate to local needs. We must avoid imposing ill-fitting models and ensure that we harness and strengthen existing capacities as we seek to develop them further.

It is important to ensure strong coordination among international actors. We must garner available expertise in a coherent manner. Australia encourages opportunities for South-South and triangular cooperation, and for enhanced cooperation with regional organizations — something we ourselves have tried to do, for example, through our leadership of the Regional Assistance Mission to Solomon Islands.

Assistance obviously should be extended beyond capitals to the subnational level, civil society and the private sector. We need to strengthen the fabric of stable and prosperous communities through political, security, service delivery and economic institutions. We must recognize and promote the role of women, who must be empowered to contribute to decision-making and the implementation of institution-building.

Institution-building in any environment is obviously complex. Institution-building in post-conflict situations clearly presents even greater challenges. That is why it is important that we share ideas and best practices.

The United Nations has a vital role to play in peacebuilding owing to its unique legitimacy and comparative advantages. We encourage the Security Council to consider institution-building when setting mission mandates, but to do so while also giving consideration to the role that other actors should play. It should also continue to mandate integrated United Nations missions to ensure comprehensive approaches. We would also encourage better definition of roles and responsibilities in key peacebuilding sectors within the United Nations system.

My own country has been pleased to contribute to the work of the Peacebuilding Commission (PBC) over the past year. We believe very clearly that the PBC can play a stronger role in supporting post-conflict institution-building, particularly by monitoring progress, assisting coordination and providing expert guidance to the Council. The Council should increasingly draw on the PBC's advisory role. We endorse the comments made earlier today by Ambassador Grauls of Belgium on behalf of Brazil, Canada, Jordan and Switzerland in their respective capacities as Chairs of the PBC's country-specific configurations.

We also encourage greater coordination between the United Nations and the World Bank and other regional development banks, given their influential role in institution-building.

Obviously, we need to use our resources to greatest effect. In that regard, we look forward to the conclusion of the forthcoming review of international civilian capacities, which we hope will enhance the United Nations effectiveness in supporting post-conflict institution-building, including by increasing its ability to draw on truly relevant expertise in response to defined needs from the global North and the global South.

We stand ready to contribute expertise through the Australian Civilian Corps, which we established in 2009 specifically to provide skilled personnel to support countries experiencing or emerging from conflict or natural disasters.

At times, the challenges of institution-building can obviously seem overwhelming. The international community must be realistic in its expectations, set clear objectives and coordinate and sustain support for institution-building over the long term, regardless of the challenges; otherwise post-conflict success does not happen. This work requires patience, but it is critical, given the centrality of strong national institutions in delivering robust and sustainable peace.

The President: I give the floor to the representative of Peru.

Mr. Gutiérrez (Peru) (*spoke in Spanish*): We wish to thank the Security Council, in particular the delegation of Bosnia and Herzegovina, for the timely convening of this debate and the drafting of the concept paper (S/2011/16, annex), which helps the Council to give greater thought to key elements of a more effective Peacebuilding Commission and contributes to the organization and planning required to implement the recommendations emanating from the review process.

Peru attaches the greatest importance to adopting comprehensive and multidimensional strategies for peacebuilding in post-conflict situations. Such strategies promote security, development and good governance in close coordination with all United Nations system agencies. The adoption of a needs-driven or a demand-driven approach and the prevention of a resurgence of conflict are crucial pillars in the design of a comprehensive strategy. In that regard, we believe that a needs-driven approach must take account of the specificities of each case and of national priorities, thereby facilitating a targeted response.

In his report on peacebuilding in the immediate aftermath of conflict, the Secretary-General pointed out priority areas in which peacebuilding work should be conducted simultaneously. One of the key main areas involves the importance of a cross-cutting and holistic security strategy in which priority is given to development and institution-building. The cross-cutting strategy reflects the need to include early peacebuilding efforts during the implementation of peacekeeping processes.

In order to prevent a resurgence of conflict, it is imperative to rebuild and bolster the institutional capacities of the country in question. Institution-building is an indispensable factor of sustainable socio-economic development. A comprehensive peacebuilding strategy, which must include provisions for institution-building, should be based on national ownership and a prior assessment of existing national capacities. In that way, international support and cooperation will fill the gaps where capacity is lacking and strengthen the areas where there are weaknesses. The implementation of the Agenda for Change and the poverty reduction strategy in Sierra Leone could serve as useful examples in evaluating positive aspects and areas for improvement through a lessons-learned approach.

In implementing the strategy, it is imperative to establish mechanisms for inclusion to ensure the maximum involvement of society and the public and private sectors. Such an approach will mend the social and political fabric as a framework for the rule of law and will lay the foundation for the country's reconstruction. In that regard, we should recall that the empowerment of women and the gender perspective are key factors in generating capacity and in the peacebuilding process, as underscored in the Secretary-General's report.

Particular attention must also be paid to job creation and training for young people who are unemployed or underemployed, and who are a high-risk and potentially disruptive factor in the transition to peacebuilding and institution-building. It is also essential to sustain close and ongoing coordination with local stakeholders and partners providing international assistance, with particular emphasis on regional cooperation, South-South cooperation and North-South triangular cooperation. This will ensure the implementation of a needs-driven strategy on the ground and take account of the experience and expertise of the partners.

Peru believes that determining the origin of a conflict and the need for a transition towards peace and for the rebuilding process — and therefore for early peacebuilding efforts and a preventive dimension — are aspects that must be taken into account when the mandate of a peacekeeping operation is first established. These considerations must be part of the groundwork for a comprehensive peacebuilding strategy, including in rebuilding and strengthening institutional capacities.

The Security Council and the Peacebuilding Commission, in particular its Organizational Committee, have a crucial role to play in drafting mandates for peacebuilding operations and in formulating and implementing the aforementioned comprehensive strategy. Mechanisms must therefore be established so that the Peacebuilding Commission, as a subsidiary body of the Council and the General Assembly, can develop active and frequent coordination with both the Security Council and the General Assembly.

Finally, I reiterate the importance my country attaches to the Peacebuilding Commission maintaining its primary advisory and catalytic role within the system, which ensures the consistency, flexibility and effectiveness of the work of the United Nations in peacebuilding processes and in implementing the Secretary-General's action plan.

The President: I now give the floor to the representative of Ukraine.

Mr. Vitrenko (Ukraine): I thank you, Mr. President, for holding this important debate and wish you every success in fulfilling the highly responsible duties of Security Council President.

Our appreciation also goes to Secretary-General Ban Ki-moon and the Deputy Prime Minister of Timor-Leste, His Excellency Mr. José Luís Guterres, for their insights into today's topic. Ukraine's long record of participation in United Nations peacekeeping and peacebuilding efforts in Timor-Leste and almost 20 other States, including most of the Group of Seven Plus countries, makes this debate quite relevant for my country.

Ukraine aligns itself with the statement of the European Union. As a member of the Organizational Committee of the Peacebuilding Commission, my delegation supports the statement delivered by the Commission's Chair, Mr. Peter Wittig, the Permanent Representative of Germany. I would also like to make a few brief points in my national capacity.

First, we fully agree with the philosophy of the concept paper (S/2011/16, annex) before us that national ownership is an indispensable condition for the establishment of effective core State capacities, leading to the creation of a stable and viable State. My delegation also recognizes that the purpose of institution-building is to reduce the dependence of post-conflict Governments on the international community and to promote self-reliance. Yet the fact that the majority of post-conflict countries relapse into violence within 10 years leaves no doubt about the need for extreme prudence in planning the transition of responsibilities from the international community to national authorities, especially in the security sector.

Secondly, consensus between domestic and international stakeholders on a broad peacebuilding agenda is a sine qua non for the success of the institution-building and peacebuilding endeavour as a whole. If there is a lack of understanding on either side, there will be no chemistry between them and, ultimately, no tangible progress in securing lasting peace.

Thirdly, given the crucial significance of post-conflict institution-building to the success of the overall peacebuilding efforts, my delegation shares the belief in the necessity of integrating the institution-building perspective, tailored to each country and situation, into the mandates of respective United Nations missions from their early stages.

Fourthly, we believe in the transformative power of the relevant regional and subregional organizations in connection with peacebuilding. Nowhere are the benefits of this soft power more evident than in Europe, with the European Union as a case in point. There is a great deal of transformative potential with other European bodies, such as the Council of Europe and the Organization for Security and Cooperation in Europe (OSCE). That is why we see merit in exploring the idea of putting together the best practices and lessons learned of these organizations and sharing them, wherever appropriate, with interested partners in other regions. As a prospective Chair of both the Council of Europe and the OSCE, in May to November 2011 and in 2013, respectively, Ukraine is ready to do its share.

Fifthly, the Peacebuilding Commission is ideally placed to bring together external State and non-State actors with the aim of securing the creation of credible, legitimate, accountable and resilient institutions in countries emerging from conflict. In view of this, the Peacebuilding Commission should play a leading role in enabling the United Nations system to establish an integrated approach to institution-building. If the Commission is to be fully up to this task, greater synergy between the Security Council, General Assembly, Economic and Social Council and Peacebuilding Commission is needed.

Having a long, solid record of contributing to peacebuilding through active military and police engagement in missions under the auspices of the United Nations, Ukraine could be instrumental in assisting the advancement of the institution-building agenda. My country has capacity and is open to considering providing civilian expertise, particularly in the areas of justice, security sector reform and governance, and the training of domestic professionals from fragile States with the aim of further boosting their local civil service capacities.

The concept paper rightly notes the supporting — yet in some cases instrumental — role of humanitarian relief and rehabilitation assistance, especially in the immediate aftermath of conflict or humanitarian disaster. In this respect, Ukraine is proud of its contribution to the Central Emergency Response Fund in response to the United Nations appeal for Haiti.

Today's debate will be taken into account by my delegation in the context of Ukraine's current membership in the Peacebuilding Commission, the Economic and Social Council, UN-Women and other relevant organs. It will also serve as a valuable reference in the case of Ukraine's election to the Security Council for the term of 2016-2017.

The President: I now give the floor to the representative of Bangladesh.

Mr. Rahman (Bangladesh): I have the honour to speak on behalf of the Non-Aligned Movement (NAM) in our capacity as NAM coordinator in the Peacebuilding Commission.

Let me begin by thanking you, Mr. President, for organizing this important debate on the issue of institution-building in the context of peacebuilding in post-conflict countries. We also thank the Secretary-General, the Deputy Prime Minister of Timor-Leste and the Chair of the Peacebuilding Commission for their respective statements delivered this morning.

This debate is a very timely initiative, as it is taking place as the review of the peacebuilding architecture has just been concluded and the review of international civilian capacity is in its final stage. We believe that this debate will add important value to all relevant processes in further streamlining peacebuilding activities and bringing about sustainable peace in post-conflict countries.

While we recognize that each and every post-conflict situation is unique, our experience is that there are some commonalities across all conflict or post-conflict situations. They negatively impact the regular work of a society by causing damage to physical, psychological and social structures. They shatter institutions, take a toll on human lives, break social bonds and hinder regular activities. The institutional and other capacities previously created in society or embedded in the bond of social dynamics are either broken or remain dormant, and are not readily available to steer the peace process or to make it sustainable.

Therefore, the onus is on us, the international community, to work towards the achievement of sustainable peace by enabling national actors to rebuild their institutions, revitalize their economies and rejuvenate their peaceful lives. This process entails ensuring national ownership in all peacebuilding activities, including institutional capacity-building.

Sustainable peace can be achieved only when the process is shared and owned by those ultimately benefiting from the peace dividends. It is national actors who clearly understand the inherent values and normative priorities of their particular society. Given the diversity in post-conflict situations, the international community, in consultation with the relevant stakeholders, needs to find commonalities among national protagonists to advance their common development agenda. This requires broader political will within the international community and at least a minimal willingness on the part of the different factions in the post-conflict countries.

International support in such dynamic and evolving situations is to be based on broad political willingness and adequate and predictable resources. Efforts skewed towards unduly benefiting one group at the expense of others are likely to exacerbate a situation, igniting the causes of conflict. Active participation by members of civil society and by local and traditional authorities, including marginalized groups, may ease the situation and contribute significantly to ensuring national ownership for achieving peacebuilding goals through a common vision of national development. The full and effective participation of women can further strengthen the process.

We agree with the concept paper (S/2011/16, annex) that building institutional capacity in a post-conflict country is a difficult task. However, it is not impossible. It requires coordinated efforts, constructive willingness, appropriate needs assessment and defining norms and standards. The volatile post-conflict environment is largely defined by a lack of vital resources, including physical infrastructure, human and financial capital and appropriate social bonds. While some of that stems from a lack of adequate confidence, mostly it has to do with insufficient financial resources, technical expertise and institutional skills. No supply-driven approach will suffice. On the other hand, a demand-pull approach coupled with national training and exchange programmes may help. In addition, the provision of adequate and timely resources is indispensable. In that context, the Movement believes that the following points must be kept in mind while planning and conducting post-conflict institution-building activities.

First, any activity relating to peacebuilding in a post-conflict country must be based on the principle of national ownership. In that regard, institution-building activities should also encompass national priorities, taking into account the reality and necessities of the people who are the potential clients of the initiative.

Second, effective partnership must be forged among all Member States so that the varying capacities among them can complement each other and strengthen post-conflict institution-building efforts.

Third, gender mainstreaming and the role of women in post-conflict peacebuilding cannot be overemphasized. The institution-building process and its outcome should ensure gender perspectives as appropriate. While crafting such norms and standards, sufficient attention must be given to ensuring that the concerns of women in the host country are adequately taken into account so as to empower them to effectively participate in the post-conflict country's economic, political, social and security-related activities.

Four, organizational coordination must be addressed. Without prejudice to the functions and powers of the other principal organs of the United Nations, the General Assembly must play the key role in the formulation and implementation of institution-building activities. In this context, the Peacebuilding Commission should play a central role in providing policy guidance and strategies in conducting institution-building activities.

Five, there has to be cooperation among the different United Nations organs. Post-conflict peacebuilding activities should be conducted through intense and effective consultations among the main organs of the United Nations, while duly emphasizing their respective areas of competence.

Six, the role of peacekeepers and early peacebuilding activities need to be properly recognized. In that regard, the significant role of peacekeepers will further strengthen early peacebuilding activities. Furthermore, these activities need to be identified by the United Nations peacebuilding architecture in cooperation with the national Government, including the views of troop-contributing countries in relevant areas.

Seven, with regard to South-South cooperation, countries of the South have similar socio-economic experiences that need to be utilized in the process. In addition, the diverse capacities and skills in the South can be replicated suitably in the form of lessons learned and the development achieved from previous experience in nation-building.

Last but not least, efforts must also include a mechanism for including North-South and triangular cooperation. That would renew the strength of partnerships and complement South-South cooperation.

In conclusion, the Movement believes that the building of institutions in post-conflict countries must be based on a fair appreciation of the circumstances of justice and on the prevailing social situation for which the norms and standards are being postulated. They should reflect a collective thought process premised on the needs and concerns of the people who will ultimately uphold the institutions.

As a supporting partner, the international community must advance its capacities through institutional, technical, financial, human and other assistance in which it has the capacity to do so. The process must forge the effective participation of all stakeholders, including women, civil society and marginalized groups, so as to address the root causes of conflicts.

The President: I now give the floor to the representative to Armenia.

Mr. Nazarian (Armenia): I would like to express our appreciation for the organization of this open debate, as well as to thank you personally, Madame President, for the opportunity to share our views on this important subject.

The frequency with which the Security Council addresses post-conflict peacebuilding signals, first, the importance that the international community attaches to the issue as a preventive tool against the recurrence of conflict through the establishment of sustained security and stability, which are prerequisites for the maintenance of peace and development; and, secondly, an acknowledgement of the Council's responsibility to fulfil the commitments undertaken to support countries that have emerged from conflict.

We share the views expressed by many speakers calling for more systematic attention to post-conflict peacebuilding. We believe that this should continue to be frequently reflected in the deliberations of the Security Council.

Time and again we have seen how conflicts re-emerge in the absence of functioning institutions that reflect a common understanding within a society. Although lessons have been learned and various approaches have been refined as the international community has tackled such conflicts, the tendency continues to be for a top-down approach that at times ignores the specific context, roots and causes of a given conflict.

Institution-building, especially in post-conflict countries, must be done at all levels of society, with particular attention paid to the uniqueness of each case, in order to reach consensus and create a governing framework. It is important that the programmes adopted be country-specific, needs-based and target-oriented to ensure continued adherence by the affected population. This would safeguard success and assist the population in building upon existing national capacities in a more consolidated and effective manner.

In that context, effective institution-building during the different phases of the process requires coordination among the Peacebuilding Commission and all relevant actors, including international financial institutions, United Nations entities, regional organizations and civil society, including women, local experts and other stakeholders.

With respect to the relationship between the Peacebuilding Commission and the Security Council, we believe that, given limited resources, they should work closely together and use each other's knowledge and expertise of a specific country's conflict to clearly identify priorities in order to most effectively use such resources towards peacebuilding efforts. For that cooperation to be workable, both bodies must try to be as flexible as possible to address conflicts in a timely and efficient manner, as each conflict will pose unique problems and require specific solutions.

Armenia remains committed to post-conflict peace initiatives and believes that the Council should further advance development initiatives by supporting peacebuilding mechanisms that help countries emerging from conflicts in their recovery, reintegration and reconstruction efforts, which are aimed at creating foundations for sustainable peace and development.

The successful implementation of this agenda requires a basic level of political will and determination on the part of all players as preconditions for peacebuilding. With those political conditions in place, the ability of the United Nations or any other intergovernmental or regional actor will be enhanced and supported.

Armenia therefore welcomes the Bosnian initiative to hold this open debate. This is an opportunity to recap and reflect on our past experiences in dealing with the issue of post-conflict peacebuilding and to highlight priorities for united, practical actions.

The President: I now give the floor to the representative of Slovenia.

Ms. Štiglic (Slovenia): First of all, I would like to thank Bosnia and Herzegovina for organizing this open debate on post-conflict peacebuilding, with a special focus on institution-building, which is a prevalent challenge in a number of societies that have just emerged from conflict. This debate, under Bosnia and Herzegovina's first-ever presidency of the Security Council, has special significance. Bosnia and Herzegovina is a country with extensive first-hand experience of the subject before the Council. In the 15 years since Dayton, Bosnia and Herzegovina has undergone a difficult process of peacebuilding, transition and recovery, and it continues along the path to ensuring further progress in institution-building, integration into Euro-Atlantic structures and overall prosperity.

I would like to thank the Secretary-General for his statement and the Deputy Prime Minister of Timor-Leste, His Excellency Mr. José Luis Guterres, for sharing his insights into Timor-Leste's experiences in institution-building. My thanks also go to Ambassador Wittig, outgoing Chair of the Peacebuilding Commission (PBC), for his contribution to the Commission's role in promoting and supporting an integrated and coherent approach to peacebuilding, including women's participation.

Slovenia fully aligns itself with the statement delivered by the representative of the European Union.

I would like to stress the importance of the Secretary-General's 2009 report on peacebuilding in the immediate aftermath of conflict (S/2009/304), as well as to welcome the continuous attention paid to the issue of the United Nations peacebuilding architecture.

It is widely recognized that in the aftermath of large-scale violence, the needs of the people tend to be far greater than the capacity of national or international actors to meet them. Given that imbalance, national and international efforts in the early post-conflict period should focus primarily on meeting the most urgent and important peacebuilding objectives, such as establishing security, building confidence and trust in the political process, delivering initial peace dividends and expanding core national capacity.

We believe in the importance of providing support for basic safety and security, including the protection of civilians; disarmament, demobilization and reintegration; strengthening the rule of law; demining and supporting security-sector reform. Peacekeepers should be able to contribute in the early stages of peacebuilding, where they are best positioned to do so.

A secure environment is crucial to the implementation of peacebuilding tasks, whether by national or international actors. Societies emerging from war face a high risk of relapse into conflict. It is therefore essential that international efforts facilitate and support their transition from short-term stabilization to long-term security. Capacity development is at the heart of peacebuilding. It is crucial to help create national structures to manage tensions and mediate between various societal interests, with a view to preventing a return to violence. Capacity development is also the main approach to stronger and more resilient State-society relations based on trust and inclusiveness, as it leads to the reactivation of core State functions and helps the State to re-establish legitimate governance throughout the country.

It is imperative that national ownership — which must often be strengthened through a step-by-step process — focus on capacity-building of core Government functions and on national actors. In that context, the international community and regional and subregional organizations should partner with post-conflict societies to assist with institutional capacity-building, promoting the rule of law and strengthening civilian institutions, including ministries, the parliament and the judiciary.

International assistance must be allocated to support State institutions with a view to establishing a basis for competent and legitimate governance. In the process, dependence on international assistance must be gradually but steadfastly reduced, and self-reliance promoted.

Peacebuilding requires coherent, comprehensive and consistent efforts by many different actors working together. It demands the integration of political, security, humanitarian and development considerations. Security and development partnerships must be strengthened to include global, international, regional and local actors as well as civil society.

We recognize the important role of the PBC as an intergovernmental body tasked with developing peacebuilding strategies and providing enhanced coordination for countries that have transitioned from war to peace. We support strengthened institutional arrangements among various United Nations actors, along with closer cooperation between the Security Council and the PBC. In that respect we welcome the statement made by the representative of Belgium on behalf of Brazil, Canada, Jordan and Switzerland in their capacities as Chairs of the PBC's country-specific configurations.

It is crucial that we prevent the persistent violence, intimidation and discrimination against women and encourage their participation and full involvement in post-conflict activities, especially as women can be important drivers of recovery and development in peacebuilding processes. Slovenia welcome the 2010 report of the Secretary-General on women's participation in peacebuilding (S/2010/466), including the seven-point action plan.

The establishment of the United Nations Entity for Gender Equality should further contribute to the effective implementation of resolutions 1325 (2000) and 1820 (2008). Last year, Slovenia adopted its national action plan for the implementation of both resolutions. One of the main objectives of the action plan is to increase the involvement of women in peacebuilding and peacekeeping missions.

While the past 20 years have witnessed a decline in the number of international armed conflicts, there has been an emergence of internal conflicts, mostly in low-income countries, due to horizontal inequalities along ethnic, religious and regional lines associated with civil wars. It is thus clear that numerous peacebuilding challenges still lie ahead and that we must turn to lessons learned and best practices when tackling those challenges in the future. When embarking upon sustainable post-conflict reconstruction, we should ensure and commit to long-term institution-building, as that will ultimately strengthen the processes and conduct necessary to peacefully manage conflicts at all levels.

The President: I now give the floor to the representative of Serbia.

Mr. Starčević (Serbia): The Republic of Serbia welcomes the format of this open debate in the Security Council on institution-building within the post-conflict peacebuilding process. Charged with responsibility for safeguarding international peace and security, the Council can only benefit from such debate. The delegation of Bosnia and Herzegovina should be congratulated for its initiative. The statements by the Secretary-General; Mr. José Luís Guterres, Deputy Prime Minister of Timor-Leste; and Ambassador Peter Wittig, current Chair of the Peacebuilding Commission, have given us three important perspectives germane to the issue under discussion, while the statements by members and non-members of the Council alike demonstrate vivid interest in this question.

These are complex problems that call for specific answers — from the elimination of the humanitarian consequences of a conflict to assistance in organizing the election process and the building of new institutions, or the rebuilding of old ones. Yet the need for institution-building is a global problem that affects countries in almost all parts of the world that have experienced a conflict. It therefore calls for global action.

The Republic of Serbia believes that post-conflict institution-building is among the most important efforts in securing peace, stability and sustainable development. For those efforts to be successful, it is necessary that all actors in the international community render a contribution, including the United Nations, regional organizations and Member States that participated in the conflict directly or indirectly or are located in the immediate vicinity, as well as non-governmental organizations.

The United Nations system should be at the forefront of all activities, primarily through its organs — the Security Council and the Secretary-General, the Peacebuilding Commission, the Department of Peacekeeping Operations, the Office for the Coordination of Humanitarian Affairs, the United Nations Development Programme and the specialized agencies of the United Nations.

Bearing in mind that the Republic of Serbia is part of a region that experienced a very difficult period starting two decades ago, we are well aware of the needs and caveats of a peacebuilding process. We approach it with understanding and responsibly.

We firmly believe that there is a need for all countries of a region that has been engulfed by conflict to engage actively. We have made every effort to make our full contribution to post-conflict peacebuilding through a policy of promoting good-neighbourly relations — one of our most important foreign-policy priorities — through a policy of reconciliation in the region and through building free and democratic institutions.

The Republic of Serbia is a signatory party and a guarantor of the implementation of the Dayton-Paris Peace Agreement. It gives its unwavering support to the territorial integrity of Bosnia and Herzegovina and is supportive of all decisions based on the agreement of the three constitutive peoples of that State.

Last year, the National Assembly of the Republic of Serbia adopted a resolution condemning the crime at Srebrenica. Serbia cooperates actively with the international presences in Kosovo headed by the United Nations Interim Administration Mission in Kosovo deployed in the province pursuant to resolution 1244 (1999) and supports activities aimed at improving the living conditions for all inhabitants of Kosovo. We showed our readiness to quickly start a dialogue with Pristina in accordance with resolution 64/298. President Boris Tadić has met the leaders of the other countries of the region on a number of occasions. My country has thus clearly shown its resolve to contribute to peace and stability in the Western Balkan region.

The Republic of Serbia is also of the opinion that full reconciliation in the region will be greatly helped if justice is fully served through national and international institutions with regard to all individuals who committed crimes during the conflict.

Serbia considers institution-building in the post-conflict period to be a process that, because of its complexity, calls for the synergy of internal stakeholders and international actors, a thorough assessment of the causes of conflict and a global approach combined with specific solutions. The role of the United Nations system in this area will always remain vital. We also support the proposal to strengthen the consultative role of the United Nations Peacebuilding Commission.

The Republic of Serbia has been active, and will continue to be so, in support of United Nations activities on building institutions in conflict-affected areas. We shall also continue our support through our participation in United Nations peacekeeping missions. My country fully concurs with the view that the purpose of institution-building is to progressively reduce dependence on the international community and promote self-reliance. We also agree that there must be at least a basic level of consensus and political will among the leading national stakeholders for institutional development to succeed.

Accordingly, an honest analysis of the events leading to the conflict and of the deeds and mistakes that caused it is necessary to avoid similar pitfalls in the future. New institutions and their procedures must be designed so as to maximize the chances for avoiding a repetition of past mistakes. Those who do not remember history are condemned to repeat it, as Santayana said. Countries that have gone through conflicts need enlightened leaders and enlightened institutions, and people must stand up for them if they care about their future and the future of their children.

Work on promoting sustainable peace, stability and development is the best prevention against the resurgence of conflict. The cost of conflict is so high that it is incumbent upon us to make every possible effort to succeed in our endeavours to build peace.

The President: I now give the floor to the representative of Pakistan.

Mr. Andrabi (Pakistan): Madam President, the Pakistan delegation would like to thank you for arranging today's debate and for your insightful concept paper (S/2011/16).

Today's debate coincides with the mandatory review of the Peacebuilding Commission, which concluded late last year, and the review of the international civilian capacities, which is in its final stage. I hope that our deliberations today will complement the work of both these important review processes.

The theme of institution-building can be placed within the broad rubric of priorities identified by the Secretary-General in his report on peacebuilding in the immediate aftermath of conflict (S/2009/304). The Secretary-General's priorities included safety and security, support for political processes, provision of basic services, restoring core government functions and economic revitalization. Similar priorities are also outlined in the President's concept paper.

The international community can optimize its institution-building efforts in conformity with priorities of the countries concerned for ensuring national ownership of all peacebuilding initiatives. To that end, our approach must be people-centric and tailored to specific needs or circumstances. It should not be seen as outside interference. That is important for the longevity and resilience of the nascent institutions built in a post-conflict setting.

I wish to highlight four points in answer to the very pertinent questions raised in the President's concept paper.

First, institution-building should be factored into a mission's mandate from its inception. That can be done by focusing on security sector reform together with strengthening national capacity to manage intercommunity conflicts. Whenever such mandates are devised, peacekeepers have always played an important role, despite resource constraints.

As a leading troop contributor with vital stakes in the success of the peacekeeping operations, Pakistan has been supportive of mandates that ensure local capacity-building to prevent relapse into conflict. That is evident from our record in the Security Council, as resolutions 1509 (2003) and 1565 (2004), which authorized strengthened missions in Liberia and the Democratic Republic of Congo respectively, were supported by Pakistan during its term in the Council. Pakistani troops also participated in those challenging missions.

At present, nearly 10 United Nations peacekeeping missions are performing a broad range of peacebuilding activities, which also include institution-building. Therefore, the role of peacekeepers in post-conflict institution-building cannot be ignored. It will be important to provide for the needs of peacekeepers so that they can better perform their role. In this regard, vital responsibility rests with the Security Council, where these mandates are formalized, and with the Secretariat, where the resources are provided to back them.

Secondly, institution-building in a post-conflict situation can be greatly facilitated by a targeted focus on the development aspect of peacebuilding. Priority areas could include the employment of youth and women, engaging the private sector, building local entrepreneurship, revitalizing the economy and developing service-based infrastructure. Such an approach will, on the one hand, build national ownership and engage all stakeholders in peacebuilding endeavours and, on the other, will reinforce the notion of the people-centric approach, bringing the benefits of peacebuilding to the common man's doorstep.

Thirdly, organizational coordination within the United Nations is essential to avoid duplication. We note that an Integration Steering Group (ISG), which includes peace and security, humanitarian and development actors across the United Nations, is in place in the Secretariat for policy coordination in 18 countries where there is both a mission and a country team. The ISG can enhance the Secretariat's responsiveness to the institution-building demands.

Finally, the Peacebuilding Commission, with its unique composition, is ideally placed to establish an integrated approach to institution-building and to address the gaps in transition. In this context, I will propose that a working group on institution-building could be created within the Commission's Organizational Committee or within its country-specific configurations. Alternatively, a dedicated theme of institution-building could be added to its existing Working Group on Lessons Learned. That would allow the Commission to optimize its advisory role for all principal organs of the United Nations, not just the Security Council, on the subject of post-conflict institution-building.

The President: I now give the floor to the representative of the United Republic of Tanzania.

Mr. Seruhere (United Republic of Tanzania): Madam President, I thank you for convening this timely debate on post-conflict peacebuilding and institution-building. The United Republic of Tanzania fully supports the concept of and need for institution-building and sees it as an indispensable requirement for preventing post-conflict communities from relapsing into conflict. I have trust and confidence in your leadership qualities, Mr. President, so I have no doubt that you will stir this debate to a fruitful conclusion.

We welcome the statement of the Chairperson of the Peacebuilding Commission, His Excellency Ambassador Peter Wittig, Permanent Representative of Germany; that of the Non-Aligned Movement, read by the Permanent Representative of Bangladesh, Ambassador Abulkalam Abdul Momen; and the joint statement of the Chairs of the country-specific configurations for Guinea-Bissau, Sierra Leone, Liberia and Burundi, read by His Excellency Ambassador Jan Grauls, Permanent Representative of Belgium.

Speaking from past and recent experience, the United Republic of Tanzania supported in practical ways the successful processes that ended conflicts in southern Africa and the Great Lakes region. The vision of my country has always been to see the transformation of post-conflict societies into a space of sustainable peace and security of States and peoples, stability as well as shared growth and development. That wisdom is, as a matter of fact, enshrined in the Dar es-Salaam Declaration on Peace, Security, Democracy and Development in the Great Lakes Region, adopted in November 2004.

The former Secretary-General of the United Nations, Kofi Annan, once said that there is no security without development and no development without security. We draw inspiration from the wisdom of both the Dar es-Salaam Declaration and the dictum of Kofi Annan. In order realize that inspiration in the Great Lakes region, where peacebuilding processes are ongoing — and, indeed, elsewhere — institution-building is critical. It is also critical that such institutions lead ultimately to lifting living standards of the people in the post-conflict stages. That way they can also attain the Millennium Development Goals and reach desirable human development indices.

"Peace-building: institution-building" will benefit not only post-conflict societies but also the entire world and the international community. The United Republic of Tanzania says so because, as experienced in the Great Lakes region and elsewhere, local wars suck in other countries from near and far. Thus preventing conflicts and the recurrence of conflicts is beneficial to all humankind.

It is desirable and paramount that all Member States and the international community provide support of every kind to institution-building in post-conflict societies and their neighbours in order to establish, consolidate and promote good governance, democracy, rule of law, respect for human rights, security and stability, as well as economic growth, development and integration. Where that cannot be done by supporting individual States, it should be accomplished through subregional and regional approaches.

The President: I give the floor to the Chargé d'affaires of the Permanent Observer Mission of the African Union.

Mrs. Mungwa: I would like to begin by presenting the apologies of the Permanent Observer of the African Union to the United Nations, His Excellency Ambassador Téte Antonio, who has travelled to Addis Ababa for the meetings of the upcoming African Union summit and was therefore not able to attend this meeting in person.

We join previous speakers in commending you, Mr. President, for initiating consideration of the well-focused theme of this debate, which is extremely pertinent for Africa. We are grateful to the Secretary-General, the Deputy Prime Minister of Timor-Leste, and the Chairperson of the Peacebuilding Commission for attending this meeting in person, and for their pertinent remarks delivered to the Council earlier today. Thank you also, Mr. President, for the concept paper (S/2011/16) that you provided for the guidance of this debate, and also for the presidential statement delivered early in the meeting today.

As a matter of high priority to Africa, post-conflict reconstruction and development as a whole is one of the issues addressed in a range of policy instruments of the African Union, beginning with its Constitutive Act and including the Protocol Relating to the Establishment of the Peace and Security Council of the African Union.

In their remarks in the debate this morning, representatives of various African States mentioned the African Policy Framework on Post-Conflict Reconstruction and Development, which was adopted by the Executive Council during its 7th Ordinary Session, held in Sirte, Libya, in July 2005. We would like to note that this was one of the very first policy instruments adopted by the African Union, just three years after its establishment in 2002, to indicate the importance of the issue at the level of the African Union. This Policy Framework details the concepts, principles, approaches and even the benchmarks that are concerned with the important topic of post-conflict reconstruction and development as a whole. A significant amount of the content is devoted to the question of institution-rebuilding and building.

Previous speakers have mentioned the concept paper. we are very pleased to note that the international community has mentioned a lot of the elements contained in the concept paper and in the African Policy Framework to which I have referred.

I do not think that I can do justice to presenting the Policy Framework. In the interests of time, we would simply highly recommend that policy instrument to members of the Council and all stakeholders.

In adopting the Policy Framework on Post-Conflict Reconstruction and Development, the Executive Council of the African Union indeed addressed the need to build the institutions of the African Union, which would then drive the task of post-conflict reconstruction and development, including institution-building. This included a ministerial committee on post-conflict reconstruction and development, to be established to provide political support and resource mobilization for implementation of the Policy Framework. It is also envisaged that the ministerial committee will interface with the United Nations Peacebuilding Commission at the highest level.

Various member States of the African Union are also leading key efforts for post-conflict reconstruction and development through the establishment of institutions such as the African Centre for Study and Research on Terrorism, based in Algiers, and through the commendable initiative to establish an institution for post-conflict reconstruction and development announced by the Permanent Representative of Egypt in his intervention in the Council today.

While building necessary continental institutions — which I have just mentioned — to support the task of post-conflict reconstruction and development as a whole, the African Union has also taken a number of concrete steps towards translating the Policy Framework into concrete actions at the level of concerned member States. These have included the establishment of the Post-Conflict Reconstruction Committee on the Sudan, as mentioned by the Permanent Representative of South Africa in his remarks earlier today. We seize this opportunity to commend the outstanding leadership of South Africa on this issue.

The African Union also maintains field offices in a number of member States that are facing the complex situation of having to rebuild after conflict, such as Burundi, Chad, the Central African Republic, Côte d'Ivoire, Guinea-Bissau, the Sudan and Somalia, in order to provide permanent support and to accompany them with the arduous tasks they face in consolidating peace and rebuilding the institutional, policy and human development fabric that is often devastated by conflict.

As others have today, we take this opportunity to commend the Peacebuilding Commission for its work on the five African countries under its consideration. We would like to take the opportunity to re-pledge and restate the support of the African Union and its intention to continue working closely with the Peacebuilding Commission. Please also allow me to take this opportunity to recall the sentiments expressed to the Security Council late last year by the African Union Commissioner for Peace and Security, regarding Somalia in particular (see S/PV.6409).

We would also like to underscore the importance of strengthening various institutionalized and inter-agency frameworks of cooperation between the African Union and the United Nations for effective institution-building and recovery in post-conflict countries in Africa. The growing cooperation between the Security Council and the Peace and Security Council of the African Union, as well as frameworks such as the recently launched African Union-United Nations Joint Task Force on Peace and Security, will, we believe, play a crucial role in guiding institution-rebuilding in African countries emerging from conflict.

Furthermore, the African Union looks forward to the implementation of the outcome of the review of the Peacebuilding Commission. We are also very pleased with the ongoing cooperation between the African Union and the United Nations regarding the strengthening of international civilian capacities. We also look forward to the review of the Ten-Year Capacity-Building Programme for the African Union that is being implemented by the Peacebuilding Commission. We are convinced that all of these frameworks will contribute to strengthening the entire process of institution-building in the aftermath of conflict.

With these brief remarks, we again welcome the Council's consideration of today's theme, and we take this opportunity to reiterate the African Union's appreciation to the Security Council and United Nations for their unwavering support for post-conflict reconstruction and development in Africa as a whole, among all the other areas to be focused on. The African Union remains ever grateful and looks forward to the continuing support of the Council on this issue, including on a number of initiatives launched within the context of the recently concluded Year of Peace and Security in Africa.

The President: I now give the floor to the representative of Benin.

Mr. Zinsou (Benin) (*spoke in French*): I would first like to warmly congratulate you, Mr. President, on your country's presidency of the Security Council and on the professionalism with which you are conducting its work for the month of January. I also congratulate your predecessor, the representative of the United States. I welcome the significant contribution of the Deputy Prime Minister of Timor-Leste to our debate this morning. I would also like to thank you, and through you the other members of the Security Council, as well as the Secretary-General, for their valuable contributions to this open debate on institution-building in the framework of post-conflict peacebuilding.

Institution-building is a crucial factor in stabilizing and strengthening sustainable peace in countries emerging from conflict. Its modalities must be studied in order to identify the conditions necessary for it to succeed fully in the countries affected. In this regard, I would like to share some modest reflections with the Council.

One of the most difficult and key challenges is to ensure that countries emerging from a devastating conflict do not relapse into violence. Here, I welcome the importance that the Council attaches to the efforts of the international community to promote peace processes. The first cardinal principle is to respect the need for national ownership based on the specifics and realities of each country concerned. The sole aim of external support should be to strengthen national capacities in order to establish and restore State institutions, centrally and locally. It must also mobilize civil society in order to credibly legitimize the exercise of power and the modalities for managing public affairs. The aim is to ensure as early as possible that peacebuilding plans launch a participatory and inclusive process that can restore basic services and restart economic activity in order to bolster confidence in and commitment to the peace process.

In designing different plans, we must seek to identify national capacities and establish a partnership with them so as to enable the established legal authorities to be self-sustaining, to develop their own expertise and ultimately to be capable on their own of providing essential services and of earning legitimacy in the eyes of their people. In order to help achieve such a partnership between local actors and external contributors, the United Nations must focus on knowledge transfer and require it as an essential criterion when recruiting external actors. The permanency of the institutions established depends on this requirement, and the Security Council should supply the directives necessary in that respect.

In this context, Benin has solved the problem of transfer of expertise by designating, for each foreign expert recruited to supervise a project, a national counterpart assigned to work in tandem with him or her in order to ensure that projects under way can be effectively carried out. Such experts are as likely to come from countries of the South as of the North, but they will come increasingly, we hope, from the South. We hope that the forthcoming report on civil capacity will address these issues.

Successful institution-building, in our opinion, involves strengthening analytical capacities and designing national strategies for a country's recovery and development, while establishing an optimal balance between the structural and functional approaches. That will allow us to determine whether new institutions must be established or if coordination and cooperation mechanisms can be set up to carry out specific functions to meet particular needs. Identifying and meeting needs effectively requires the establishment of a hierarchy of true priorities on the ground in order to create the conditions necessary to the success of activities under way, even in the face of the fact that, in a post-conflict country, every need can seem to be a priority.

Nonetheless, laying the groundwork in close cooperation with national actors can help to identify the absolute top priorities. Such work can help decide which measures to take immediately and which to implement in the short- and medium terms, with the criterion for setting deadlines being their importance to maintaining functions crucial to people's lives and the stabilization of the country. Such work must also seek to identify the most vulnerable populations to target for emergency programmes and the restoration of basic services.

In any case, it is always necessary to better integrate all efforts involved, including those relating to the return of refugees and internally displaced persons; to disarmament, demobilization and reintegration programmes; and to institution-building and the restoration of economic activity. This can be promoted through the granting of local procurement contracts through peacekeeping operations in order to rebuild local production capacity. That helps to generate resources locally in a way that can promote ownership of the recovery process. Thanks to its purview and broad membership, the Peacebuilding Commission is particularly sensitive to the causal links that can lead to a better analysis of data collected on the ground, which in turn can bring synergy to efforts to help synchronize peacekeeping and peacebuilding efforts.

In that context, the Council can make use of the lessons learned by the Peacebuilding Commission in its work in various theatres of operation in the countries on its agenda. The mandates of peacekeeping operations must incorporate peacebuilding perspectives that take institution-building and the need for synchronization into account at an early stage. That will help to shorten the duration of peacekeeping operations and to transition as soon as possible into less complex peacebuilding missions designed to last longer because of the nature of their tasks and related long-term objectives.

The idea of devoting a part of the peacekeeping budget to financing priority peacebuilding activities in the countries affected must be expanded in order to alleviate pressure on the resources of the Peacebuilding Fund so that the Fund can truly serve the aims of conflict prevention in the broad sense of the term, including not only preventive institutional or operational support activities, but also post-conflict activities.

Current international affairs have many lessons to teach us on the need to demonstrate greater flexibility in applying criteria for the use of the Fund. It must remain a rapid-reaction instrument for promoting multilateral preventive diplomacy in all its forms and for supporting Member States in difficulty, whether or not they are classified as fragile States.

The President: I give the floor to the representative of Botswana.

Mr. Ntwaagae (Botswana): Botswana attaches great importance to the promotion of institution-building, which is one of the main ingredients of the concept of post-conflict peacebuilding. In this connection, Sir, I wish to express my delegation's appreciation for your initiative to hold this open debate on the subject.

We welcome the participation earlier in the day of the Secretary-General, Mr. Ban-Ki moon, in these deliberations, as well as the presence of the Deputy Prime Minister of Timor-Leste. Their personal involvement in this debate demonstrates the high importance of the subject matter. I extend the same appreciation to the Chair of the Peacebuilding Commission, the Permanent Representative of Germany, for his continue high level of interest and effective stewardship of the Commission.

Botswana believes that peace, security and stability are prerequisites for attaining higher levels of development and quality of life. The promotion of positive values and practices such as tolerance, consultation, democracy, effective governance and the rule of law are of vital importance to the rebuilding of institutions that can drive major reconstruction in countries emerging from conflict. Botswana therefore wishes to emphasize the importance of supporting institutional development as a crucial step towards the prevention of conflict and laying the foundation for sustainable socio-economic development, peace and security. Botswana also believes that investing in reconstruction and rehabilitation of physical infrastructure, as well as in social and economic programmes, is a vital part of post-conflict reconstruction.

My delegation would like to underscore the importance of ensuring that assistance given to countries emerging from conflict is always accompanied by the establishment of legitimate State machinery in order to safeguard the interests and welfare of citizens. This is the surest way of consolidating the gains of peace, which could also go a long way towards enabling the effective delivery of basic services for human development, trade, investment and security. The rebuilding of credible judicial and law enforcement systems is also of vital importance so that the country is properly anchored in the rule of law, which is a necessary ingredient in the promotion of durable peace and the prevention of relapse into conflict.

Botswana also believes that post-conflict peacebuilding can succeed if we put a high premium on national ownership not only of the actual reconstruction activities, but also in determining the development priorities for which international assistance is being provided, as well as control of resource allocation.

Botswana maintains that it is important for the international community to strike when the iron is still hot in promoting post-conflict institution-building. Short-term humanitarian relief should therefore be accompanied by efforts to build facilities for schools, water reticulation, primary health care and related services, as well as the revitalization of key economic sectors.

In conclusion, my delegation wishes to reiterate Botswana's commitment to continuing to provide assistance and develop partnerships, within the limits of its capability, for the consolidation of peace and security, particularly on the African continent. Regional economic and social integration in Africa cannot succeed as long as pockets of instability and lawlessness disrupt the establishment of stable and effective administrations.

We support the promotion of cooperation at the bilateral, regional and international levels and among the various United Nations entities, as well as the role played by international financial institutions. We also urge the United Nations, through the advice of the Peacebuilding Commission, to continue to promote post-conflict institution building as a thematic and programme area.

The President: I give the floor to the representative of Argentina.

Mr. Argüello (Argentina) (*spoke in Spanish*): I know that I am the last speaker this afternoon, so I will be brief. In any event, I should like to begin by saying that Argentina always welcomes the opportunity to participate in the open debates of the Security Council.

The United Nations, and the Security Council in particular, have a key responsibility in the maintenance of international peace and security. They have a central role to play in post-conflict situations, building lasting peace, and establishing a sound foundation for sustainable development.

One major challenge faced today by the international community, and the United Nations in particular, is supporting countries recovering from conflict and seeking to build peace. As the Secretary-General underscores in his report, an effective response by the Organization requires a comprehensive and coordinated strategy that is based on the identification of priorities by local authorities and establishes clear objectives and timelines. That task requires the development of assistance activities in the humanitarian field, politics, security, the restoration of the rule of law, the promotion of development, and the protection and promotion of human rights. The task ahead is therefore enormous.

In considering the matter at hand, I should like to focus on three central aspects.

First, we believe that peacebuilding is primarily a national task and responsibility. Clearly, faced with diminished or destroyed local capacities in the wake of a conflict, we need to rely on the support of the international community. International, regional, subregional and non-governmental organizations have a central role to play in developing institutions, but always based on guidance and priorities established by local authorities. We underscore the importance of the participation and responsibility of authorities in the country emerging from conflict in the design phase of a comprehensive peacebuilding strategy and in identifying priorities and resources to be used in that strategy. These authorities will be involved throughout the entire rebuilding process, ensuring a consensual response in addressing the true causes of conflict more effectively and legitimately. In that regard, I would like to underscore the point made by the Deputy Prime Minister Guterres to the effect that a nation cannot be built on the basis of another nation, since there is no common model that can be applied to all.

Secondly, I wish to note the statement in the concept paper prepared by the delegation of Bosnia and Herzegovina for this debate that "it is... too late to start developing institutional capacities when peacebuilding efforts are already at the exit strategy phase" (*S/2011/16, annex, p. 2*). On the contrary, it is immediately following a conflict that there are the greatest challenges to and the greatest opportunities for starting institution-building.

As I have said on many occasions in this Council on behalf of my delegation, in particular in reference to the situation of Haiti, we must promote peacebuilding so that the presence of the United Nations and the international community will not be necessary. The fact that local authorities have the institutional capacity to shoulder their responsibilities will be the gauge of the success of the Organization's work.

Finally, I wish to stress the important role played by regional and subregional organizations in conflict prevention, management and resolution, in line with the provisions of Chapter VIII of the United Nations Charter and the need to strengthen the capacities of regional systems to support countries in post-conflict recovery and reconstruction.

In addition, I underscore the key role of the Organization in post-conflict peacebuilding and its privileged position in coordinating the international community's various initiatives, ensuring that all efforts contribute to the goal of institution-building and are in line with national priorities.

The President: There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 5.35 p.m.

United Nations S/PV.6473

Security Council

Sixty-sixth year

Provisional

6473rd meeting

Tuesday, 25 January 2011, 10 a.m.
New York

President:	Mr. Barbalić	(Bosnia and Herzegovina)
Members:	Brazil	Mrs. Viotti
	China	Mr. Wang Min
	Colombia	Mr. Osorio
	France	Mr. Araud
	Gabon	Mr. Moungara Moussotsi
	Germany	Mr. Wittig
	India	Mr. Hardeep Singh Puri
	Lebanon	Mr. Salam
	Nigeria	Mr. Onemola
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Churkin
	South Africa	Mr. Mashabane
	United Kingdom of Great Britain and Northern Ireland	Mr. Parham
	United States of America	Ms. Rice

Agenda

The situation in Somalia

Letter dated 24 January 2011 from the Secretary-General addressed to the President of the Security Council (S/2011/30)

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The meeting was called to order at 10.10 a.m.

Minute of silence

The President: At the outset of the meeting, I should like, on behalf of the members of the Security Council, to ask that all those present now stand and join in observing a minute of silence in memory of the victims of the heinous terrorist act perpetrated at Domodedovo International Airport in Moscow on 24 January 2011. We express sincere sympathy and condolences to the relatives of the citizens of the Russian Federation and other countries who were killed or injured.

The members of the Security Council observed a minute of silence.

Adoption of the agenda

The agenda was adopted.

The situation in Somalia

Letter dated 24 January 2011 from the Secretary-General addressed to the President of the Security Council (S/2011/30)

The President: Under rule 37 of the Council's provisional rules of procedure, I should like to invite the representative of Somalia to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I invite Mr. Jack Lang, Special Adviser to the Secretary-General on Legal Issues related to Piracy off the Coast of Somalia, and Mr. Stephen Mathias, Assistant Secretary-General for Legal Affairs, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them a photocopy of a letter dated 24 January 2011 from the Secretary-General, transmitting the report of the Special Adviser to the Secretary-General on Legal Issues Related to Piracy off the Coast of Somalia, which will be issued as document S/2011/30.

I now give the floor to Mr. Lang.

Mr. Lang (*spoke in French*): I have the honour to present to the Security Council the main conclusions of the task entrusted to me by the Secretary-General, in coordination with the Security Council, on legal issues related to piracy. Many observers have welcomed the Secretary-General's initiative to consider in-depth this issue, which has become a priority and of which the Security Council is clearly and resolutely seized.

Allow me first to commend the remarkable work carried out by the Secretary-General, in particular in his report (S/2010/394) on the seven options that the Council reviewed in late August (see S/PV.6374). That report guided my thinking and was an excellent basis for my work. I would also like to thank Mr. Lynn Pascoe, Ms. Patricia O'Brien and their colleagues. The task very greatly benefited from their support, and we had ongoing and honest exchanges.

I would also like to thank Ambassador Augustine Mahiga, Special Representative of the Secretary-General for Somalia, and Ambassador Thomas Winkler, Chairman of the judicial working group of the Contact Group on Somali Piracy. Our cooperation was unwavering, honest, ongoing and enriching. We visited the various countries of the region together.

As soon as I was appointed by the Secretary-General on 26 August, I conducted numerous consultations with 50 States, international organizations, private companies and research institutes. I went to most States in the region, in particular Somalia, and to Puntland and Somaliland. I visited prisons and talked with pirates detained not only in Somalia, but also in Mombasa, Kenya.

I came from those consultations with a feeling of extreme urgency. The situation is serious. I would even say that it is worsening. Far from slowing down, each day the phenomenon develops significantly. We have seen the industrialization of the phenomenon, an increasing number of pirates, sophisticated operations, the increasing use of mother ships, the latest technology, such as GPS, heavy weaponry, better organization during attacks, seizures and the negotiation of ransoms, and the gradual emergence of a true industry and new professions linked to piracy, including intermediaries, negotiators and interpreters.

Those signs of deterioration have been complemented by intensified violence, the frequent use of weapons, the occasional organization of simulated executions, increasing recourse to private companies, and the use of open force in taking hostages. We have seen some examples of that over the past few days. In addition, people are held longer — an average of 120 days and sometimes up to a year. Lastly, we have seen the geographical expansion of attacks to the entire Indian Ocean. Such attacks, long restricted to the north, today reach the southern and eastern Indian Ocean up to 1,500 kilometres off the coast. To some extent — I may exaggerate a little here — the pirates are increasingly becoming the masters of the Indian Ocean.

The situation is tragic for the victims, above all. Nearly 2,000 hostages have been taken in two years. Crews who have been taken hostage are sometimes used as human shields in other attacks. It is a tragic situation for the economies of the region, which have seen loss of revenue, higher prices, lack of security in the delivery of energy supplies, and the penetration of piracy into the economy of local systems.

It is a tragic situation for Somalia itself, which has endured difficulties in access to food aid and the breakdown of traditional societies. Ultimately, it has become an increasingly tragic situation for international trade. Some 22,000 ships and 30 per cent of the world's oil transit that area every year, and at the moment we are seeing an astonishing increase in insurance premiums for that area, which has been classified as a war zone.

In brief, the race between the pirates and the international community is progressively being won by the pirates. It is difficult to accept that the international community should be so persistently defied by 1,500 pirates. The status quo is therefore no longer satisfactory. I believe that the extreme gravity of the situation requires emergency remedies.

Hence, the plan I am submitting focuses on two ideas and two questions. The first question is: How can we improve the current solutions? The second is: Can we formulate new and ultimately more effective solutions? I shall respond briefly to the first question, which addresses an issue that the Council is well aware of.

The report proposes a series of measures to lift the legal obstacles to prosecuting pirates at sea and imprisoning them. For example, the report suggests the incorporation of the crime of piracy into the domestic legislation of all States and the adaptation of maritime detention to operational constraints. Similarly, in order to improve the situation, we suggest facilitating the submission of evidence, for instance by making it easier to give testimony via video teleconferencing. Perhaps the main point is the report's proposal for the removal of a key obstacle hindering States' prosecutorial jurisdiction — that is, the lack of detention facilities in the States of the region. Concrete proposals have been submitted for the Council's consideration in the report.

However, I believe that we need to face the truth. Even if these and other proposals are adopted to improve the outstanding work already carried out by our navies — including those of Kenya, Seychelles and Mauritius, which we congratulate on carrying out a task of great importance to the international community and international law — and even if these proposals enhance current solutions, we will still encounter difficulties in eradicating piracy. It is quite clear and undeniable that nine out of 10 pirates captured by our navies have to be released because there is no effective agreement among most States to prosecute them. Thus, impunity prevails. Nine out of 10 pirates are released because no jurisdiction is prepared to prosecute them.

That is why I decided to seek other options not to replace but to complement the very important solutions that the members of the Council have supported and encouraged. The consultations I have held pursuant to the task conferred upon me have enabled me to focus on the key idea that only making the legal and detention processes Somali-owned can ensure that prosecution is effective and end, to the extent possible, the impunity enjoyed by pirates.

It is well known that Somalia is the main source and Puntland the principal victim of piracy. For moral and religious reasons linked to the devastating consequences — including drugs, prostitution and alcohol consumption — the Somali people themselves are growing increasingly hostile to piracy. They are ready to support efforts on the ground against piracy. The fight against piracy must be supported by the populations affected.

I would therefore suggest that a genuine plan agreed with Somaliland and Puntland would help us to increase the pace of our fight. The plan would incorporate reciprocal, clearly affirmed and clearly publicized commitments in compensation for real, concrete evidence provided by the local authorities of their actions against pirates. The international community could thereby support the economic, security, legal and detention efforts of the authorities of those two regions.

Somaliland has already demonstrated its resolute commitment against piracy. I have met the leaders of Puntland, and in particular President Farole, on numerous occasions, and they claim to be determined to fight piracy and have taken initial detention measures, in particular against one commander of the pirates. I received a letter from President Farole yesterday confirming his resolve and commitment.

I should just like to add a few comments on the proposals I am submitting to the Council. I wish to assert clearly, simply and directly that there is a need to tackle piracy on the ground with the agreement of the Somalis, or at least certain Somalis. I dare say that we must target both the head — the commanders — and the body — the pirates themselves. The mafia-like gang leaders and the ordinary pirates clearly work hand in hand.

Regarding those who give the orders, the Security Council has already considered and spoken on this subject. Thanks to the task conferred upon me, I have been able to meet with representatives of many specialized organizations — Interpol in particular, but others as well — on this matter. My initial conclusion is that everything has not been done to reach the top and to get our hands on the instigators of these crimes. We know the names of some dozen of these masterminds, who receive the increasingly vast ransoms that fuel piracy. Organizations that launder money from piracy have been identified.

The report contains three relevant proposals. I will not go into them in detail as I do not want to speak at great length. These three proposals concern the strengthening of forensic policing capacities, the gathering of elements for investigation and evidence that are often overlooked — such as fingerprints and DNA from the boats that have been released, the registration numbers of engines on motherships, the registration numbers of transferred banknotes, the systematic monitoring of financial flows — and the application of individual sanctions against those who order attacks, whose names are well known. The Security Council knows how to target, reach and attack these criminal leaders. That, in brief, is what I wanted to tell the Council regarding those who lead and are the principal beneficiaries of these criminal enterprises.

Secondly and in conclusion, with regard to what I would call the "basic pirates", those who actually do the work at sea, the anti-piracy plan that I am proposing to the Council includes both prevention and clamp-down measures.

The prevention measures are above all economic in nature. In this area it is very difficult to separate the law from socio-economic reality. It is absolutely crucial that young Somalis be given an alternative to piracy. Support for economic development is possible in very specific areas where a dynamic for development can be put in place right away. I am thinking in particular of the ports of Bosaso in Puntland and Berbera in Somaliland. I am also thinking about animal husbandry and livestock export, as well as of developing telecommunications and, perhaps first and foremost, fisheries.

The proposal with regard to fisheries — which stems from different international experiences, in particular lessons learned off the coast of Guinea — calls for developing fisheries and for fishing agreements to impose a requirement that 30 per cent of fish be processed in Somalia. Along the same lines, it is proposed that Somalia be able to declare the contours of its maritime area with the help of the United Nations. As the Council knows, as of today, nothing has been defined — neither the limits of the territorial waters nor the borders of the exclusive zone, or the borders separating the different countries.

With regard to an issue that has often been discussed here in the Security Council and in other bodies, namely, the harm caused by illegal fishing and the discharge of toxic waste off the coast of Somalia, and particularly off of Puntland, I suggest that an independent international committee of experts carry out an objective study of the situation.

Other prevention measures are also proposed to prevent pirates from taking to the seas and with regard to monitoring and controlling of the coasts, the setting up of police stations in pirates' villages and the training of coast guard personnel who can monitor from land the departure of suspicious boats.

Those are some of prevention measures. I have not mentioned them all; the report before Council members includes additional proposals.

I should like to conclude by referring to the plan for clamping down on acts of piracy on land, which entails a range of measures to be supported by an agency whose specific local effectiveness I have been able to witness for myself, namely, the United Nations

Office on Drugs and Crime (UNODC). The staff of the Office do a remarkable job in providing assistance for the construction of prisons, in particular in Mombasa but also in Puntland and Somaliland.

The proposal I have made to the Council calls for the establishment of two specialized jurisdictions, one in Puntland and one in Somaliland. The applicable law would be Somali law, reformed under the aegis of UNODC as a part of the Kampala process, in association with the Transitional Federal Government and other entities, such as Puntland and Somaliland. This work, which consists of drafting Somali law, is at an advanced stage and is very important from the jurisdictional standpoint.

Furthermore, a parallel idea has been put forward — upon which the Council will have the final word — that the President of Tanzania, with whom I met a few weeks ago, establish a Somali court in Arusha during a transitional period. Following that period of transition, during which we very much hope that peace would be restored in Somalia as soon as possible, the court would be transferred to Mogadishu. The Tanzanian President has told me that he is open to such a proposal.

The question of prisons and incarceration also needs to be addressed. Prison capacity needs to be built in Puntland and Somaliland — once again, with the assistance of the United Nations Development Programme and UNODC. This agency, which I have consulted on many occasions, has told me that it is possible to build prison capacity in less than a year or faster in order to provide space for prisoners tried both locally and abroad — in Kenya or in other countries. UNODC is proposing a double-control system to ensure that these prisons run smoothly, namely, internal monitoring within the prisons through a standing UNODC office that would train prison guards and help with prison management, as well as external monitoring that would carry out regular checks by a surveillance committee, which UNODC has agreed to set up and assist.

Another idea put forward by UNODC is to associate each prison with a farm in order to enable the prison to have a degree of self-sufficiency and to facilitate prisoner training and social reintegration.

Another important issue that is not easy to solve is the training of judges, prosecutors, attorneys and prison guards. Again, though, it seems to me that UNODC and international organizations such as the United Nations and the African Union, which I consulted on several occasions, the European Union and other organizations must contribute to this effort.

Those are some of the main points. We cannot look at all of the proposals; to do that would take up far too much of the Council's time and patience. But I would like to conclude with a final point. If the Council decides to promote solutions such as those, it would entail a degree of investment. I know the extent to which we need to be attentive today to not wasting public resources and to being frugal with public funds.

In that regard, I asked UNODC to undertake an evaluation — and it is only an evaluation — of what it would cost over three years to set up these new jurisdictional and penitentiary capacities in Puntland and Somaliland. The UNODC's estimate is that it would cost $25 million. I would like to draw the Council's attention to how that figure — if it turns out to be correct — compares with the cost of piracy today, which is reaching considerable heights. Although estimates vary, for Somalia and the Indian Ocean the cost is between $5 and 7 billion. If we factor into those costs of piracy the additional costs for naval operations and the revenue losses to the countries of the region associated with tourism, blocked ports and impediments to trade, to say nothing of the increase in the cost of transporting raw materials and industrial and other goods, then the total costs are significant indeed — and will inevitably continue to rise in the coming years.

The choice therefore seems to be clear. If we leave the situation as it is, with some improvements here and there, we will not manage to resolve it. I could be wrong, but that is my feeling: we will not succeed in eradicating this problem. It will therefore be very expensive for our countries and for international organizations alike.

It will also be very expensive in human and political terms. I do not want to be overly dramatic, but let us try to look beyond the situation. Despite the significant risk that it currently poses, piracy today is fairly discreet from terrorism. There are some links here and there in Somalia, but they are limited. But if the scope of the phenomenon were to expand and move decisively southward — and, again, I do not wish to be overly dramatic — then we cannot disregard the possibility that it may one day become more closely associated with terrorism.

Those are some of the thoughts I wanted to share with the Council. I believe that it is perhaps someone looking in from the outside who can feel sufficiently free to say these things. The Council bears a responsibility to States and to the Organization. I believe that, if in the course of the next few weeks our Organization and the Security Council were to adopt a clear, robust and resolute resolution that speaks to and is awaited by the entire world, it would serve to encourage initiatives and facilitate the mobilization of the financial resources to which I have just referred. And everyone would feel that that would indeed be a resolute, robust and concrete action by the Council.

I apologize for taxing the Council's patience and speaking at some length. I just wanted to share with the Council the beliefs of someone who, thanks to the Council, was able to meet with many leaders. My message to the Council is that it should act quickly and robustly.

The President: I thank Mr. Lang for his briefing.

I now give the floor to Mr. Mathias.

Mr. Mathias: I would like to thank Mr. Lang for his wide-ranging and multidimensional report (see S/2011/30) to the Secretary-General, as well as for his presentation this morning. Mr. Lang was appointed on 25 August 2010 as the Special Adviser to the Secretary-General on Legal Issues related to Piracy off the Coast of Somalia. In just four months, he has travelled and consulted widely and has brought together a large amount of information into a coherent report that identifies various strands of possible actions by the international community.

Some of those strands relate to piracy-related issues that are not of a legal character. While those are not of direct concern to the Office of Legal Affairs, I note that among the proposals in Mr. Lang's report are proposals with respect to improving the operational aspects of the fight against piracy, economic and development proposals and proposals to build the capacities of Somalia's security forces. His report to the Secretary-General and the recommendations contained therein are being reviewed by the Secretary-General and his advisers.

I will now make just a few brief comments on some of the legal aspects of the report, and also refer members of the Council to the relevant parts of the Secretary-General's report (S/2010/394) of 26 July 2010, which dealt with some of the same issues.

First, I would like to underline the Special Adviser's references to the international legal framework applicable to piracy. The legal framework under international law is set out in the 1982 United Nations Convention on the Law of the Sea, which also reflects customary international law. Other instruments, such as the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, may also be relevant to combating piracy, since some elements of the act of piracy may also constitute offences under such instruments.

In the context of Somalia, the legal regime is complemented by a number of Security Council resolutions. The Djibouti Code of Conduct concerning the repression of piracy and armed robbery against ships in the Western Indian Ocean and the Gulf of Aden is also an important vehicle for cooperation among regional States.

Regarding the repression of piracy, States remain bound by other applicable rules of international law. Clearly, apprehension, detention, prosecution and imprisonment must all take place in accordance with a State's international human rights and other obligations.

The Special Adviser has rightly underlined that the Law of the Sea Convention and customary international law provide for universal jurisdiction over acts of piracy; that is, all States are entitled to take criminal jurisdiction over acts of piracy, no matter where they occur and no matter what the nationality of the suspect or the victim. No connection between the prosecuting State and the act of piracy is required. This is the broadest possible legal basis for States to exercise jurisdiction under international law.

Any State may seize a pirate ship or a ship under the control of pirates, any State may arrest the suspects and any State may prosecute them. The key to increasing the number of States that are able to prosecute acts of piracy, whether they be in the region or elsewhere, lies in national implementation of this international legal regime and in the will to take on prosecutions. This is consistent with the call in resolution 1950 (2010) for all States to criminalize piracy under their domestic law and to favourably consider the prosecution of suspected, and imprisonment of convicted, pirates apprehended off the coast of Somalia, consistent with applicable international law, including international human rights law.

Given the large number of suspects being detained at sea by naval forces, the Special Adviser has emphasized that putting in place adequate prison arrangements is equally as important as considering the options for prosecution. The potential size of the piracy-related prison population and the fact that most of the suspects are not nationals of the prosecuting States have certainly contributed to the difficulties associated with finding a potential host State for any new judicial mechanism.

The Special Adviser has proposed a three-part Somali court system, comprising specialized courts in Puntland and Somaliland and an extraterritorial specialized court to sit in a third country in the region. It may be helpful for members of the Council if I briefly relate those proposals to the options that were set out in the Secretary-General's report.

The specialized courts sitting in Puntland and Somaliland, as proposed by the Special Adviser, would be special chambers, sitting within a national jurisdiction. As we understand it, they would receive capacity-building assistance but would not have United Nations participation through United Nations-selected international judges or prosecutors. Those tribunals, therefore, would fall under option 3, as set out in the Secretary-General's report of July 2010. That report identified a number of potential advantages and disadvantages of such special chambers. Our understanding is that the United Nations Office on Drugs and Crime is already supporting national prosecutions in the regions of Somalia and working towards the establishment of such special courts.

The proposal for an extraterritorial specialized court, applying Somali law, to sit in a third country in the region, would fall under option 2 in the Secretary-General's report of last July. Again, the report identifies advantages and disadvantages of this option.

The President: I thank Mr. Mathias for his briefing.

I now give the floor to the representative of Somalia.

Mr. Duale (Somalia): I thank you, Mr. President, for inviting us to participate in this very important meeting and briefing on piracy in Somalia. I also very much wish to thank the members of the Security Council for being steadfast in their efforts to find viable solutions to the problems of piracy in Somalia. Special thanks are also due to Mr. Jack Lang, Special Adviser to the Secretary-General on Legal Issues related to Piracy off the Coast of Somalia, for his very comprehensive briefing. I hope as soon as I receive the report to be able to study his very important proposals and options, which are, as far as I can foresee, very viable and to-the-point, and require nothing more than immediate action, as he has said.

We also thank Mr. Stephen Mathias, Assistant Secretary-General for Legal Affairs, who has also supported the proposals of options for jurisdiction, both international — that is, outside Somalia — and within Somali territories.

The problem has been with us for a very long time, and every time the Secretary-General issues a report — such as his most recent very comprehensive report on piracy (S/2010/394) — unfortunately funds do not materialize. The funds required to be able to take the actions that Mr. Lang has proposed are very minor compared to what has been spent on the high seas and considering the problems that piracy creates not only internationally but also for the Somali people and Somali communities, as was also highlighted by Mr. Lang.

What remains to be done now, really, is to take action — and quickly — both on the legal aspects of the problem and on concrete steps to support and enable regional authorities and the Transitional Federal Government to police and monitor all the coastal areas where piracy originates, so that pirates can be caught there, with good policing, before they go onto the high seas. Without exaggeration, we know that since March 2010 more than 30 vessels have been taken. The number of hostages is 699; if we include the hostages taken in 2009, the number is at least 1,000, if not more.

That creates a humanitarian situation for all those involved, including the families of those unlawfully detained by the pirates. On both the humanitarian and security fronts, action should be taken as quickly as possible, not only by the members of the Security Council but also by the international community. I hope that the Security Council will deeply look into this problem and take every appropriate action in support of the report of the Secretary-General and the reports of Mr. Lang and Mr. Mathias.

Mr. Churkin (Russian Federation) (*spoke in Russian*): I would first like to express our gratitude to all the members of the Security Council and the United Nations for their solidarity and support in the aftermath of the terrorist attack on Domodedovo International Airport.

We are grateful to the Special Adviser to the Secretary-General on Legal Issues related to Piracy off the Coast of Somalia, Mr. Lang, for his substantive report (S/2011/30), which includes a whole range of measures to increase the effectiveness of anti-piracy measures. It is important that its conclusions are based on material gathered through direct work in the region, including broad consultations with interested parties, including the regional authorities of Somalia. We share Mr. Lang's objective assessment of the dismal situation of the fight against piracy, and we agree that the time has come to take decisive measures to reach a new level in combating that threat. Indeed, not only is piracy not decreasing, but it is expanding like a cancerous disease with alarming speed. This criminal activity is attracting increasing numbers of people and resources, and pirates are using new technological means. Their reach is extending ever wider.

2010 was a record year. According to the International Maritime Organization, in the Horn of Africa 49 vessels were hijacked and more than 1,000 hostages taken. Some of these were killed. We are deeply concerned by the news that, in territorial waters off the coast of Seychelles controlled by national naval forces, a vessel flying under the flag of Antigua and Barbuda was recently hijacked. Most of the crew are citizens of Ukraine and according to some reports, some are Russian.

The damage to the world economy from piracy runs to billions of dollars, despite the fact that a few years ago the international community's expanded its anti-terrorism efforts and increased resources to control waterways where pirates operate and to combat impunity. Clearly, this problem cannot resolved without tackling the root causes of piracy, which are a lack in Somalia of stability, the rule of law and normal economic and social conditions. The problem is also that piracy is no longer just one of the consequences of the country's fragmentation. It has actually become a self-sustaining, profitable and well-organized criminal industry.

An important factor that fuels piracy is the complete impunity of pirates and its kingpins. The current anti-piracy measures are not adequate in terms of prosecuting the participants. In order to significantly improve the situation, we need a breakthrough. We view Mr. Lang's recommendations as a strong basis in that regard.

There is also a need to focus on the instruments used for combating piracy. Significant experience has been garnered in this area, and there are impressive institutional provisions in place. New measures should focus on the solid foundation provided by the work that has already been done.

We agree with the recommendation to expand and increase the preventive capacity of naval forces. Control of dangerous areas in the region needs to be strengthened. The Russian Federation continues to participate in the anti-piracy force. To that end, at the end of December 2010, the fifth-ranking detachment of the Russian Pacific fleet was dispatched to the Gulf of Aden, where it has been accompanying merchant vessels of different countries. In 2010, Russian military vessels were also involved in escorting vessels of the World Food Programme. However, we must realize that the problem cannot be solved by the means of force alone; there needs to be a whole range of efforts encompassing political settlement, socio-economic aspects and security and law enforcement considerations.

An important aspect to which we must devote our attention is the prosecution of pirates. The fact that pirates are not held to account is undermining anti-piracy measures in other areas. The figures speak for themselves: according to sources, 90 per cent of those detained for piracy activity are released. We have drawn the attention of the Security Council on a regular basis to the lack of existing mechanisms for prosecuting pirates. It is clear that current opportunities in Somalia and neighbouring countries in terms of prosecuting pirates mean that the capacity in this area cannot be harnessed properly.

In this regard, the proposal by Mr. Lang to set up two special anti-piracy courts in Somaliland and Puntland and an extraterritorial special court deserves our close attention and further consideration. It is important to focus on an appropriate mechanism in this area. We are convinced that it will only be effective if it is supported by international specialists. There are currently not enough professionals in Somalia with sufficient expertise.

In practice, we have good experience in assisting national courts, such as the assistance provided to Kenya and Seychelles by the United Nations Office on Drugs and Crime.

The time has now come for us to tackle piracy properly. Further developments in this area will really depend on the extent to which the Council will be able to take decisive steps to curb this threat. We are prepared to make specific proposals here in the near future. If this opportunity is not taken, then control of the situation in Horn of Africa will be lost.

Ms. Rice (United States of America): Let me also thank Special Adviser Lang, Assistant Secretary-General Mathias and the representative of Somalia for their briefings today. I especially want to thank Special Adviser Lang for his comprehensive and creative report (see S/2011/30) on piracy prosecution.

The United States fully agrees that to truly address piracy we must find solutions both on land and at sea. As Mr. Lang has rightly noted, piracy off the coast of Somalia threatens us all. Captured crews are used as human shields or held for ransom, and the region faces higher prices for basic commodities. Piracy endangers the critical delivery of humanitarian aid. The rising sums of illicit funds flowing into Somalia through random payments further destabilize the region and fuel the growth of organized crime and terrorism.

Many members of the Council participate in the Contact Group on Piracy off the Coast of Somalia, which has proved a flexible and efficient forum for coordination and information sharing. Much is being done to combat piracy, from disseminating best practices to youth employment projects but, plainly, much more work remains to be done.

As the report notes, industry adoption of best management practices in naval operations off the coast of Somalia reduced the rate of successful pirate attacks. Several mechanisms can certify such steps — for example, reviewing measures as part of the process whereby a vessel's security plan is approved under the International Ship and Port Facility Security Code. Under other International Maritime Organization provisions, such as the International Safety Management Code, documentation that a vessel has implemented the appropriate best practices can be issued. We welcome assistance in further encouraging the adoption of such best practices. We encourage nations to contribute ships to patrol the waters off the Somali coast, as several of our fellow Council members have already done.

We also support the recommendation in the report that targeted cooperation with Somaliland and Puntland be increased. But the best long-term solution to piracy is a stable Somalia. That is why the United States supports a wide range of economic development programmes there, including microcredit and good governance initiatives. Tailored initiatives that actively involve the local community may do the most good.

The United States also agrees that prevention, prosecution and incarceration are essential elements of any counter-piracy initiative. We strongly support the report's recommendations that all States criminalize piracy as defined in the United Nations Convention on the Law of the Sea and adopt universal jurisdiction with regard to this grave crime. The report recognizes the need to raise awareness, to encourage piracy's victims to testify against their attackers and to explore means to provide such testimony, including via videoconference. We agree.

The United States has long encouraged flag States and States whose crews and vessel owners have fallen prey to pirates to pursue prosecutions in their domestic courts to the greatest extent possible. We welcome the call in the report for all States to strengthen their commitment and ability to prosecute. In cases where American vessels have been attacked, we have prosecuted the suspects. We also recognize the need to develop one or more reliable, practical options for prosecution in the region. Kenya and Seychelles are successfully prosecuting piracy cases in their national courts. Tanzania has changed its laws to allow it to prosecute suspected pirates captured elsewhere. The experience of these countries indicates that prosecution in the region is potentially viable. We should continue to support efforts by States in the region to try suspected pirates in their national courts. Not only does such support help ensure that piracy bears judicial consequences; it also enhances the judicial capacity of the region as a whole.

As we continue to discuss additional mechanisms, we should also support and strengthen prosecution-related programmes in the region that are already under way.

My Government also remains open to exploring creative solutions to increase and facilitate domestic prosecution. The report suggests forming specialized piracy courts in Somaliland and Puntland, as well as a Somali court seated in another country in the region. We would support further consideration of these ideas, including in the legal working group on piracy off the coast of Somalia, which has been exploring prosecution mechanisms for some time now.

But as the United Nations report recognizes, incarceration may be the most significant constraint on piracy prosecutions. The United Nations Development Programme and the United Nations Office on Drugs and Crime (UNODC) are supporting prison rehabilitation projects. But additional support and options for long-term incarceration are needed. We encourage States to work with and through UNODC to develop additional facilities where convicted pirates can serve their sentences. The lack of places to incarcerate convicted pirates significantly hinders additional national prosecutions and makes it harder to ensure judicial consequences for piracy.

Finally, as the report notes, we must pay more attention to the instigators, leaders and financiers of piracy. We look forward to the conclusions of the next Contact Group plenary meeting about how to move forward. It is critical to disrupt the financial flows that make piracy both possible and profitable. To that end, the United States will convene, on 1 March, in Washington, D.C., an ad hoc meeting of Contact Group participants on the financial aspects of piracy, as called for by the Contact Group, to develop a strategy and an action plan on this topic.

Over the past few years, pirates having been using more and more violence. Their tactics have become more sophisticated, and their vessels have hunted further and further out at sea. We must work together and remain vigilant. In cooperation with the international community, the United States will do its part to combat this common and urgent threat.

Mr. Parham (United Kingdom): I, too, would like to thank the Secretary-General's Special Adviser, Jack Lang, the Assistant Secretary-General for Legal Affairs and the Permanent Representative of Somalia for their briefings this morning, and Jack Lang for his report (S/2011/30) presenting a plan in 25 proposals. I also take this opportunity to express the United Kingdom's continued appreciation for the contribution of the United Nations and its agencies to the international effort to combat piracy off the coast of Somalia.

The United Kingdom agrees with Mr. Lang's assessment of the seriousness of the threat posed by piracy, which has also been spelled out very clearly by Ambassador Churkin and Ambassador Rice, and we also agree on the need for an urgent solution. We welcome Jack Lang's proposals for action, many of which we have been supporting through the work of the Contact Group on Piracy off the Coast of Somalia. We agree in particular on the primary importance of securing additional prison capacity as a key measure to facilitate the prosecution of greater numbers of suspected pirates apprehended at sea.

I turn first to the proposals in the report dealing with options for prosecution and imprisonment. As noted in the report, the international community's efforts to date have focused on agreements with regional States to accept suspected pirates for prosecution and imprisonment. We believe that, in the short term, this must continue to be our focus. The European Union is moving towards concluding an agreement on prosecution with Mauritius, and negotiations are likely to resume soon with Tanzania on a similar agreement, which is most welcome. Discussions will also be taken forward in March, under the auspices of the Contact Group, on post-trial transfer agreements between Seychelles and both Somaliland and Puntland.

However, we agree with Mr. Lang that it is vital that work continue in parallel to develop judicial and penal structures in Somaliland and Puntland in line with current, well-planned and executed United Nations Office on Drugs and Crime (UNODC) programmes. The establishment of effective Somali court and prison structures is the best long-term solution, as it will provide the region with a sustainable capability to deal with the problem of piracy, which is likely, unfortunately, to endure for years to come.

As for the proposal to establish a delocalized Somali court in Tanzania, we understand this to be a temporary measure until local Somali courts are established. However, we are doubtful that it would be possible to have such a court operational within the timetable envisaged.

Implementation is clearly linked to the completion of other proposals in the report, including prison facilities in Somaliland and Puntland; prisoner transfer agreements between Tanzania and Somalia; and the UNODC project to update Somali counter-piracy law. Strong cooperation between the Transitional Federal Government and Somali regional authorities will also be required.

Even with the highest degree of international political will, we believe that it would take time to conclude the necessary legal agreements, recruit and train staff, and identify and equip suitable premises for a delocalized court. We also note that the cost and timing assessments appear to be based on a working assumption that such a court could use the premises and detention facilities of the International Criminal Tribunal for Rwanda (ICTR), but those premises will be required by the Rwanda Tribunal and the ICTR residual mechanism for the foreseeable future. We are open to discussing this proposal further, but we would need a more detailed assessment of costs and feasibility before reaching a considered view.

There are a number of recommendations in the report aimed at facilitating the domestic prosecution of piracy and enhancing judicial cooperation. We agree that all States should be encouraged to adopt laws naming piracy as a crime of universal jurisdiction in their domestic law. We would welcome further information on the proposals for a legal framework for detention at sea — that is proposal 7 — and the idea of a "model case report", which is proposal 8. We support discussion within the Contact Group of other practical measures to facilitate the conduct of prosecutions, including the provision of testimony by seafarers — that is proposal 10.

In relation to the proposals to enhance the self-protection of ships — proposals 1 and 2 — we welcome work taken forward by the shipping and insurance industries to certify compliance with elements of best management practice, including registration with the Maritime Security Centre — Horn of Africa. But we agree that more needs to be done on this through the Contact Group, in liaison with the International Maritime Organization.

The United Kingdom has also been active as chair of working group 1 of the Contact Group in promoting cooperation with the Somali regional authorities in Puntland and Somaliland — that is proposal 4. The Kampala process was created as a means of implementing capacity-building programmes by creating a technical cooperation mechanism through which the Transitional Federal Government, Puntland and Somaliland could discuss how to cooperate with each other as well as enable foreign assistance to their counter-piracy efforts.

In conclusion, we agree with the Special Adviser's overall assessment that there must be a comprehensive approach to tackling piracy off the coast of Somalia through the political, economic, security, jurisdictional and correctional tracks. We welcome the agreement by regional ministers to a regional action plan on maritime security in Mauritius in October 2010, as well as the consistency between the main elements of this action plan and the key recommendations of the Contact Group's own needs assessment report, agreed in January 2010. We must generate the political will to implement the necessary measures as a matter of priority and ensure the coordination of actions of States and international bodies. We agree that the Special Representative of the Secretary-General, Mr. Mahiga, and the United Nations Political Office for Somalia have an important role to play in this regard, and remain grateful for their continued close cooperation with the Contact Group, which retains the key coordination role across the region.

Mr. Wittig (Germany): I, too, would like to thank Special Adviser Jack Lang for his excellent briefing and report (S/2011/30) on legal issues linked to piracy off the coast of Somalia. We commend the report for its high level of detail and its systematic and comprehensive approach. The report is a most thorough analysis of the legal issues connected with piracy.

Germany is very concerned about the persistent and indeed growing threat of piracy and armed robbery off the coast of Somalia and in the region. The Security Council needs to address this threat to peace and security in a comprehensive manner.

In recent months, pirates have increased their level of violence and extended their range of operation. Piracy is a serious crime. It has detrimental effects on the security and safety of international navigation and commerce. It also threatens urgently needed humanitarian aid to Somalia. The destructive effects of piracy ultimately jeopardize our common efforts to stabilize Somalia. The overall cost of piracy is immense — as Mr. Lang has pointed out — not only to the international community and to the States in the region, but first and foremost to the people of Somalia.

The Security Council and the international community have shown unity and resolve in tackling the problem of piracy, but we do indeed have to step up our efforts. The European Union is substantially engaged in the fight against piracy. It has deployed its first naval operation, Operation Atalanta, off the coast of Somalia. Germany has participated in this operation from the very start and will continue to do so. Many other partners are committed. Kenya and the Republic of Seychelles have assumed responsibility by trying and imprisoning pirates. Mauritius will, it is hoped, soon follow suit. We would like to thank those countries for their important contributions. We hope that more partners will join in these efforts.

The Special Adviser's report proposes the strengthening of existing measures and the introduction of new ones. All of his proposals deserve our close attention.

Military and judicial action is indispensable in the short term, but both deal only with symptoms. We will have to address the factors facilitating piracy and look at the situation on shore in Somalia. The international community must continue to support the Somali people in their efforts to re-establish peace, security and development in their country. We need economic opportunities and State actors that prevent and prosecute piracy ashore. These are tasks for police, coast guard and law enforcement authorities that need to be set up and strengthened in Somalia.

The effective prosecution and imprisonment of those responsible for piracy and armed robbery have seen progress, but remain a huge challenge. The legal framework is set out in the United Nations Convention on the Law of the Sea, which reflects the customary international law giving all States the right to prosecute pirates. All States should create the legal conditions that enable them to effectively prosecute pirates.

We concur with the goal, as stated in the report, that it ultimately must be in Somalia that pirates are tried and imprisoned. To reach that goal, we have to support the establishment of adequate structures in Somalia.

The activities of the Contact Group on Piracy off the Coast of Somalia and, in particular, the Trust Fund supporting its initiatives, are a very useful contribution in that regard. A number of projects of the law enforcement sector in Somalia were funded by the Trust Fund. Germany was among the first contributors to that effort, and we invite others, including the shipping industry, to participate and commit funds.

Setting up an extraterritorial Somali court in a third country in the region, with the perspective of transferring it to Somalia, could be an essential part of a solution. It could constitute an important element of support to a nascent Somali legal and judicial system, with active international support and the recruitment of qualified lawyers, for instance from the Somali diaspora. It would combine Somali, regional and international efforts in a truly joint endeavour. We should further explore that proposal.

We have to acknowledge that the Somali judicial system and its prisons still face a number of challenges, as pointed out by the Secretary-General in his most recent report on Somalia (S/2010/394). The system must be improved so that it meets international standards and respects international human rights and other applicable rules of international law. Germany commends and actively supports all activities in that respect, especially those of the United Nations Office on Drugs and Crime and the United Nations Development Programme.

In the meantime, broader and stronger regional efforts and international support for them are required. States of the region are most affected by the scourge of piracy. Increased cooperation among them would considerably strengthen the fight against piracy. It would also be of benefit to their judicial systems in the fight against crime in general. We look forward to continued cooperation among partners in the Security Council and in the Contact Group on Piracy off the Coast of Somalia to address piracy in Somalia and the factors contributing to it.

In conclusion, I should like to once again thank the Special Adviser for his impressive report. He has rightly pointed out the urgency of the matter. The Security Council should take up the many thoughts and issues he has raised and discuss them in the near future as part of the Council's larger strategy on Somalia.

Mr. Mashabane (South Africa): We thank the Special Adviser to the Secretary-General on Legal Issues related to Piracy off the Coast of Somalia, Mr. Jack Lang, for his briefing and his comprehensive report (S/2011/30). We also want to express our thanks to Assistant Secretary-General Stephen Mathias for his briefing. We welcome the Special Adviser's recognition that the legal response to piracy must be located within the framework of a comprehensive multidimensional approach. My Government continues to study and review the legal aspects of the report.

South Africa remains deeply concerned about the multiple challenges facing Somalia, including piracy off the coast. As we have stated on many occasions, piracy in Somali waters should be addressed within the broader context of addressing peace and security and the economic and humanitarian challenges facing the country.

In his report to the Secretary-General, the Special Adviser notes that the counter-piracy effort will be successful only when a series of measures are put in place. We will go further, however, and suggest that the piracy issue will be truly resolved only when the conflict and political challenges in Somalia have been fully addressed.

We are pleased that the proposals presented in the report of the Special Adviser go beyond the legal imperatives and also incorporate the economic and preventive dimensions of piracy. In that regard, my delegation underscores the sentiment expressed in paragraph 81 of the report, in which the Special Adviser states that

> "eradicating piracy requires the development of economic alternatives so that the 'economy of piracy' does not corrupt the whole of the Somali economic system and to give hope to the young people who too often believe themselves to have no future".

South Africa firmly supports the view that addressing the scourge of piracy will require a comprehensive approach that addresses two of the underlying causes of the problem: the illegal dumping of toxic waste and the illegal exploitation of Somali maritime resources. In that regard, we support proposal 17 of the report, in which the Special Adviser calls for the establishment of a committee to investigate illegal fishing and maritime pollution.

Regarding the legal dimension of piracy in Somalia, we look forward to continued engagement by the Security Council on the options proposed by the Secretary-General and his Special Adviser, Mr. Jack Lang. In considering those proposals, our efforts should be framed by obligations under the United Nations Convention on the Law of the Sea, which sets out the legal framework and parameters applicable to combating piracy and armed robbery at sea, as well as other ocean activities.

Any effort to address the multiple challenges of piracy should also seek to build capacity in Somalia's domestic legal system and law enforcement institutions, so that Somalia remains the epicentre of long-term strategies to effectively deal with the scourge of piracy.

We wish to state our appreciation for the efforts of the United Nations Development Programme and the United Nations Office on Drugs and Crime in assisting States in the region with respect to prosecutions. South Africa is heartened by the efforts of all States that have taken on the burden of prosecuting alleged pirates, especially our sister countries Kenya, Seychelles and Mauritius. We support the call for States to criminalize piracy in their national jurisdictions. In that regard, assistance should be given to regional States in their efforts to prosecute and imprison pirates.

In conclusion, my delegation is of the firm view that with a stable and prosperous Somalia, the challenges of piracy off the coast of that country will be overcome. We should therefore do all that we can to help Somalia achieve the peace and stability that it deserves. The investment of the international community in combating piracy cannot be disproportionate to its efforts to fight the root causes of piracy on land and address Somalia's challenges holistically.

Mrs. Viotti (Brazil): I would like to join previous delegations in expressing our appreciation to Special Adviser Jack Lang for his briefing and for his very comprehensive and thoughtful report (S/2011/30). Our appreciation also goes to Assistant Secretary-General Stephen Mathias for his remarks and to Ambassador Elmi Duale, Permanent Representative of Somalia, for his statement.

Along with the July 2010 report of the Secretary-General (S/2010/394), Mr. Lang's report provides a solid basis for an in-depth analysis and effective response by the Council to piracy and armed robbery at sea off the coast of Somalia. In particular, Brazil values two aspects of Mr. Lang's report, one methodological and the other substantive. The first aspect involves the extensive consultations with numerous stakeholders, which served as a basis for its conclusions and recommendations. The second is the effort to deal with the many facets of the problem, including the socio-economic one. While a thorough assessment of the report's content is still under way, I would like to make a few preliminary comments.

The document highlights a sense of urgency in the search for sustainable solutions to the issue of piracy and armed robbery at sea off the coast of Somalia. This urgency is all the more evident when it comes to the political and security situation in Somalia, as indicated by the fact that, according to the report, the insurgency does benefit from piracy. Such cooperation between crime and terrorism, which at the moment seems based on mere mutual convenience at the local level, should be effectively combated before it becomes a true alliance that could destabilize Somalia further. In this regard, it is important that the Council act on the counter-piracy recommendations in a manner consistent with our efforts on Somalia, in particular our decision to authorize the strengthening of African Union Mission in Somalia and the consideration of the outstanding African Union recommendations.

We are pleased that Mr. Lang's report seeks to translate our common comprehensive approach to fighting piracy off the coast of Somalia into concrete recommendations aimed at prevention and suppression. Regarding prevention, we welcome the attention he has rightly given to the social and economic rehabilitation of Somalia's coastal areas and to illegal fishing and dumping of toxic wastes. Support for job creation, especially for young people, seems key in this regard. At the same time, assistance provided to help Somalia reform its legal framework on anti-piracy and maritime jurisdiction would be most beneficial if it were extended to suppressing illegal fishing and toxic waste dumping in Somali waters.

Another cross-cutting aspect of the report is its emphasis on the importance of strengthening and implementing the Kampala process. Cooperation among the Transitional Federal Government, Somaliland and Puntland in the fight against piracy can also serve as a confidence-building measure to address sensitive political issues in the long run. In this regard, the United Nations Political Office for Somalia, through its regional offices in Hargeysa and Garoowe and its increasing footprint in Mogadishu, could play a fundamental role in supporting the Kampala process and the implementation of Mr. Lang's recommendations concerning the regional administrations.

We welcome the recommendations contained in the report regarding prosecution of the instigators of acts of piracy. Such action is necessary to deal with the problem in a meaningful way. Encouraging the private sector to do more in preventing and suppressing acts of piracy, protecting the rights of seafarer victims of piracy and financing the international efforts is also positive. Many shipping companies that have benefited from international efforts to provide security off the coast of Somalia could be further encouraged to comply with the best-management practices agreed on by the industry itself. Seafarers — so far the greatest victims of piracy off the coast of Somalia — should also be better protected, in terms both of prevention and of assistance during and after a hostage situation. The collaboration of the private sector can be equally key to substantiating strong cases against suspected pirates and their instigators, as highlighted in the report.

On the central issue of the judicial mechanisms, we appreciate the Special Adviser's proposal concerning alternatives that could lead to a Somalization of the response. One key aspect of that recommendation, as we see it, is the strengthening of the rule of law in Somalia and the creation of judicial and penal capacities in Puntland and Somaliland. We fully concur with this view. We also believe that the new solutions proposed in Mr. Lang's report are compatible with efforts to improve, in the short term, the solutions currently in place.

Although the challenges are considerable and the means to overcome them complex, I reiterate my delegation's active support for fighting impunity in the waters off the coast of Somalia and bringing peace and stability to those waters and, above all, to Somalia itself.

Mr. Moraes Cabral (Portugal): The international community and the Security Council cannot and, I know, will not turn a blind eye to Somalia at this critical juncture. The range of piracy activities is spreading to neighbouring countries, and the number of reported piracy acts is growing, as is the number of victims. The sophistication of the attacks has also increased. The number of hostages taken by pirates is both impressive and disturbing. The other victims, perhaps less visible or not so frequently mentioned in the news, are the Somalis themselves, condemned in their daily lives to suffer the corrosive social impact of piracy.

The United Nations, through its programmes and funds, along with the United Nations Office on Drugs and Crime and other international organizations and donors, in coordination with the Contact Group on Piracy off the Coast of Somalia, all have a role to play in dealing with the subject at hand in its different dimensions. They have to be further supported in countering piracy and in addressing its root causes and overall impact in Somalia. Increased funding, including through voluntary contributions, cannot be avoided. The cost of inaction would be much, much higher.

It is for these reasons that I wish, like others, to thank the Special Adviser of the Secretary-General, Mr. Jack Lang, for his detailed, comprehensive and, I must add, very disturbing report (S/2011/30). I also thank our Somali colleague for his comments, and have taken note of the points raised by the Assistant Secretary-General. The Special Adviser gave us a thorough and accurate overview of the situation on the ground. Moreover, he presented us with a set of proposals for overcoming the difficult challenge that confronts us today in the issue of piracy off the coast of Somalia — a challenge first of all for Somalia, but also for the region and for the international community as a whole.

Portugal stands ready to work on those proposals, with the aim of preventing and punishing piracy in the region. We are guided by the conviction that the success of any strategy on this matter lies with the empowerment of Somalia and the need for Somalia to be entrusted in the near future with added capacity to fight this phenomenon from within. We will look into the realization of these proposals as potential tools for promoting institution-building and the rule of law, and for encouraging economic activity adequate to sound and peaceful progress in the country.

We all know that the roots of piracy off the coast of Somalia lie inland, not at sea. They are to be found in the difficult living conditions that result from a persisting situation of conflict and instability, weak institutions for fighting impunity, and serious development problems. Such circumstances make it particularly difficult for Somalis to create alternatives to an economy in which piracy's influence is increasingly preponderant.

Despite the complexity of the subject, the Special Adviser has managed to present us with a simple approach. We must improve the solutions that are currently being pursued. In this regard, we commend the efforts being undertaken by the States of the region and regional organizations, and call for their continued engagement to this purpose. But we agree with the Special Adviser that we must also embrace new solutions of an economic, security and judicial-penal nature. In this regard, we are ready to work in the Council to help achieve a prompt outcome on the basis of these proposals.

Concerning the new measures described in the report, Portugal strongly supports the multidimensional approach suggested, comprising three parts that are, in our view, equally important — the economic, security and judicial/correctional components, including the need to invest in efficient programmes of social reinsertion appropriate to the socio-economic situation in the country, in order to allow the prison population to find legal employment and build their future once they have served their sentence. Special attention should also be given in this context to the situation and treatment of children, attracted or mobilized into piracy, who end up caught in the net of justice.

Furthermore, we welcome with particular interest, as a complement to the specialized courts in Puntland and in Somaliland, the suggestion of creating another specialized Somali court outside Somali territory, now proposed for Arusha. It is an interesting solution that builds on converging ideas and specific proposals that my country has been developing and debating within the framework of the Contact Group on Piracy off the Coast of Somalia. It is a solution that seems flexible and useful enough to help attract international capacity support, capable of responding to needs as they evolve on the ground, and also able to be swiftly set up, since it relies on existing facilities. We will continue to engage in this reflection and to offer our experience to materialize such proposals in the ensuing discussions in the Council.

Mr. Osorio (Colombia) (*spoke in Spanish*): At the outset, I wish to thank Mr. Jack Lang for the report (S/2011/30) he introduced to us and to express appreciation for the remarks made by Mr. Mathias and the Ambassador of Somalia.

The outlook presented, in particular the increase in pirate attacks, their sophistication and the longer time for which hostages are being held, is of great concern. Piracy is another of the harmful consequences of precarious economic conditions and institutional weakness. It is urgent to adopt a new approach that includes strengthening the rule of law and building institutions that ensure the governability and the social and economic development of Somalia.

The assistance provided by the United Nations Office on Drugs and Crime, in coordination with the Contact Group on Piracy off the Coast of Somalia, continues to be of great importance. A lasting commitment to assistance and training in strengthening the legal, penal and prison systems, as well as the provision of logistical infrastructure and information technology, can encourage more countries of the region to help with the trial and imprisonment of pirates, as Kenya and Seychelles are doing.

The critical situation and limited capacity of the Transitional Federal Government to intercept pirates and bring them to justice, to patrol and to provide security in the waters off its coasts require the adoption of concrete measures to facilitate the trial and imprisonment of pirates, in accordance with applicable international law. The picture of impunity painted by Mr. Lang is regrettable. In that regard, curbing arms trafficking through the Gulf of Aden and the imposition of selective sanctions against the most important leaders and those who protect them would contribute significantly to international counter-piracy efforts.

The Monitoring Group for Somalia underscores that, while the volume of arms transfers to Somalia remains consistent and is small-scale, their effect is devastating in the context of a continuing armed conflict, the absence of an effective central authority and a worsening humanitarian crisis. The Group stresses that the increased piracy is also due in part to the lack of implementation of the arms embargo. In accordance with resolution 1844 (2008), sanctions should be extended to those who obstruct the delivery, access or distribution of humanitarian assistance in Somalia.

Colombia stresses the primacy of the jurisdictional and correctional components of any international strategy to combat piracy. We reiterate that the primary responsibility in the fight against piracy and armed robbery off the coast of Somalia lies with the Transitional Federal Government. In that regard, we welcome the proposal to reform the penal and procedural legal framework to include provisions that enable the investigation and prosecution of pirates.

Piracy has become one of Somalia's most lucrative economic activities, and its perpetrators use part of the ransoms to improve their arsenals and to make their operations more efficient. While we seek to remove the impunity enjoyed by the offenders, it is necessary to develop economic alternatives for the population and to ensure that society sees that crime as an activity that limits its development options.

Mr. Lang's report proposes encouraging unskilled labour-intensive activities, such as fishing, port operations and livestock exports. In the long term, such investments, which provide lasting results by preventing the population's growing dependency on the criminal industry developed through piracy, are less costly to the international community.

We are convinced that the United Nations should lead the international response to this growing problem and that a stable and lasting solution requires a comprehensive approach to the stabilization and strengthening of the State in Somalia. Mr. Lang's call for urgent action merits our full consideration.

Mr. Araud (France) (*spoke in French*): I thank Special Adviser to the Secretary-General Mr. Jack Lang for his report (S/2011/30) and proposals, Assistant Secretary-General for Legal Affairs Mr. Mathias for his support for those proposals, and the Permanent Representative of Somalia for his statement.

Not only is piracy is a threat to international peace and security, but, as the report presented to us today underscores, the phenomenon is growing. The means of the pirates are becoming increasingly sophisticated, as Mr. Lang explained, the number of attacks is increasing, and the geographical area affected continues to expand.

Faced with that phenomenon, the international community must act. The Security Council has facilitated the establishment of a legal framework for the deployment of a large fleet of vessels at sea. However, we have seen that the military tool is not sufficient. Suppression must be complemented by a legal and judicial arrangement whereby pirates arrested by vessels at sea can be tried and imprisoned in appropriate conditions. Today, 9 of 10 pirates are released owing to the lack of capacity for judicial and correctional action.

In that regard, we welcome the Secretary-General's report (S/2010/394), drawn up pursuant to resolution 1918 (2010). That report sets out the various possible options to find a solution to the legal aspects of the fight against piracy. It is now time to take a decision.

In examining those proposals, we have identified several criteria that we believe to be priority. First, we must find a solution forthwith. Mr. Lang's report underscores the urgency of that requirement. Next, we must find a realistic solution. We must keep in mind the most cost-effective and beneficial option in the report. Lastly, we must find a lasting solution that Somalia can ultimately own and perpetuate.

It is from that perspective that we considered Mr. Lang's report and all 25 proposals identified therein. In the legal sphere, the avenues proposed by the report are clear. To address legal shortcomings, the report proposes updating Somali legislation on piracy in order to strengthen the criminalization and jurisdictional treatment of pirates. To prosecute the growing number of pirates more quickly, it proposes the establishment of system based on an extraterritorial Somali court located in Arusha, Tanzania, and two specialized courts, one in Somaliland and one in Puntland. Lastly, to address the glaring lack of correctional infrastructure, the report suggests building three prisons in Somaliland and Puntland.

Those proposals respond to the urgency of the situation. They can be operational in less than a year. Those proposals are realistic. Their cost is estimated at $25 million, which is low in relation to the overall cost of piracy, estimated today at $7 billion. Finally, those proposals seem to us sustainable because they closely associate Somalia not only with capacity-building in the regions of Puntland and Somaliland, but also with the establishment of a court that, although located in Tanzania, would be above all a Somali court. The report is pragmatic because it proposes that those new avenues complement the jurisdictional and correctional components already operating in a number of States of the region and for which international support could be increased.

The Secretary-General and his Special Adviser have devoted much time and effort to proposing options to the Security Council to change the paradigm in the Indian Ocean. It is now up to the Security Council to turn those proposals into action. To that end, France encourages the start of negotiations on a draft resolution of the Security Council reflecting the most relevant recommendations in Mr. Lang's report. It is of capital importance that the implementation of any decision we may take be followed up. The Lang report proposes that such follow-up be undertaken by an experienced figure. In order to ensure the best possible coordination of action on land and at sea and the integration of United Nations action in Somalia, we might consider entrusting the mission to follow up the proposals to a Deputy Special Representative of the Secretary-General working with the Special Representative of the Secretary-General for Somalia, Mr. Augustine Mahiga.

Lastly, I recall the importance of securing funding to implement the proposals we recommend. Mr. Lang stresses that a relevant instrument — the Trust Fund of the Contact Group on Piracy — already exists. Its purpose is to strengthen the judicial and correctional capacities of the countries of the region. It is up to the international community as a whole, as well as to private individuals and bodies involved in the fight against piracy, to contribute to that instrument. In order to bolster the Trust Fund, France supports in principle the convening of an international donors' conference once the Security Council has finished its work.

Mr. Onemola (Nigeria): I thank the Special Adviser to the Secretary-General on Legal Issues Related to Piracy off the Coast of Somalia, Mr. Jack Lang, for his comprehensive briefing and in-depth analysis of the legal options available to combat piracy off the coast of Somalia. We appreciate the additional comments provided by the Assistant Secretary-General for Legal Affairs and thank the representative of Somalia for his participation in this meeting.

The increasing industrialization of the phenomenon of piracy and its rapid expansion in the Gulf of Aden endangers the integrity of the nascent authorities in Somalia and Puntland. It also threatens not only to erode the tenuous gains made by the international community in the Horn of Africa region, but also provide a fertile environment for extremism and violence.

We therefore share the Special Adviser's sense of urgency on the need for swift action to address the threat. We also agree with his basic premise that convergent measures will be required to curb piracy and prevent its occurrence. To that end, we welcome his recommendations for improving the operational component of counter-piracy, such as extending the scope of on-board self-protection, strengthening and adapting naval operations, and intensifying monitoring of the Somalia coastline. We also welcome the judicial and correctional components of counter-piracy, particularly the measures to overcome the legal obstacles to the prosecution of piracy suspects.

We believe, however, that the effectiveness of these measures is contingent on the elimination of the immediate constraints on the coordination of the international prosecution of pirates and closer transnational partnerships. Additionally, initiatives to suppress piracy and protect vulnerable ships passing through the waters off the coast of Somalia, such as the European Union's Operation Atalanta, NATO's Allied Protector and Ocean Shield operations, and Combined Maritime Forces, must be streamlined in a coherent framework.

As we have heard, nine out of 10 pirates are not prosecuted due to the absence of a clear international legislative framework. Although article 101 of the United Nations Convention on the Law of the Sea and resolution 1918 (2010) both define piracy as a criminal act, few States of the region have incorporated this definition into their criminal code. We therefore call for a coherent international legislative framework to address these enduring gaps and uncertainty in international law.

In our view, the Security Council has established precedent in this area. In resolution 1950 (2010), the Council underlined the importance of continuing to enhance the collection, preservation and transmission of evidence of acts of piracy and armed robbery at sea off the coast of Somalia to competent authorities. Further agreements relating to the exchange of prisoners, a common definition of piracy, uniform evidence collection measures and jurisdictional standards are necessary.

Nigeria notes the Special Adviser's suggested cluster of measures for preventing piracy. Going forward, the Council must provide support for an internal mechanism to complement the efforts of the international community to deal with the menace. We therefore support the recommendations of the Special Adviser on the need to revive and develop domestic industry and to reform domestic legal institutions. Nigeria's long-held view is that piracy is a symptom of the internal strife within Somalia and the absence of governance structures. A long-term solution to piracy hinges on improving Somalia's stability and helping Somalis to forge a State with viable governance institutions capable of ensuring respect for the rule of law and of promoting peace and reconciliation. We renew our call for generous contributions to the Trust Fund for this purpose.

We must, however, acknowledge the tumultuous political, economic and legal environment in which this must take place. We note with growing alarm the increasing sophistication of pirates. In 2009, revenues from piracy in Puntland were approximately $82 million, compared to $16 million for all of Puntland. The traditional industries of fishing and livestock trading have been decimated. Additionally, the once robust commercial international shipping lanes have been significantly impaired by piracy.

Consequently, there is an urgent need for the penalization and prosecution of piracy. Clear and enforceable laws must be promulgated by the legislature and enforced by a fair and impartial judiciary and police force. As a first step, we encourage the Somali Parliament to enact a statute criminalizing piracy. States in the region should also take similar action under their domestic law, in accordance with resolution 1918 (2010). Considering the negative effects of illegal fishing and maritime pollution, Nigeria fully supports the Special Adviser's recommendation on the establishment of an independent investigation committee on allegations of illegal fishing and dumping of toxic waste in Somali waters.

Piracy is one of the many hurdles the Council must clear on its path to stabilize Somalia and the Horn of Africa. The Special Adviser's report (S/2011/30) is a meaningful contribution to the current efforts to address the problems. In our view, his constructive suggestions require timely and more in-depth consideration. The measures outlined by the Legal Adviser will be further enhanced by extensive international support and coordination through regional arrangements.

Finally, resolving the problem off the coast of Somalia will require tackling the root causes of political instability in Somaliland.

Mr. Hardeep Singh Puri (India): I would also join others in thanking Mr. Jack Lang, Special Adviser to the Secretary-General on Legal Issues related to Piracy off the Coast of Somalia, and Assistant-Secretary-General Stephen Mathias for their comprehensive and useful briefings on the problems of piracy off the coast of Somalia. I would also like to thank the Representative of the Transitional Federal Government of Somalia for his perspective on the issue.

We have carefully gone through Mr. Lang's report on the legal issues relating to piracy off the coast of Somalia (S/2011/30). It is comprehensive and contains many useful recommendations. It draws our attention to the disturbing fact that Somali pirates are operating further and further from the Somali coast. The shift of attacks to the south and east of the Indian Ocean reflects the pirates' ability to adapt in order to bypass the security corridor established by naval forces and to extend their reach to areas approximately 1,000 to 1,200 miles from the Somali coast. Piracy has also gotten more sophisticated and has become an organized and lucrative activity. Indeed, as Mr. Lang's report states, piracy is gradually becoming an organized industry. Pirates have developed significant support structures whereby they are able to hold hijacked ships and crews hostage for months while their instigators and supporters hold negotiations for ransom. It is particularly worrying that the pirates have developed a modus vivendi with terrorist organizations.

According to the International Maritime Bureau, a record number of people — 1,181 sailors — were taken hostage by pirates worldwide in 2010, of which the Somali attacks account for 1,016 hostages. Currently, Somali pirates are holding 28 ships with more than 638 crew members on board. During the year 2010, 53 ships were hijacked worldwide, of which 49 were hijacked by Somali pirates. Compared to 2009, there was a 10 per cent increase in the number of pirate attacks in 2010, the total number being 445.

Studies by different think tanks say that maritime piracy costs the global economy anywhere between $7 and 12 billion a year. The figures I cite are global figures, in contrast to the figures cited by Mr. Lang were perhaps for the cost of Somali piracy alone. Nevertheless, since there is still some discrepancy there, I would, at some stage, like to get a firmer grip on the figure, but it is certainly in the vicinity of $7 to 10 billion. These figures are cause for major concern to the international community.

The continuing instability in Somalia does not permit an effective response to the problem of piracy even though the Transitional Federal Government has identified counter-piracy as a major area for cooperation under the Kampala process. Therefore, the process needs to be revitalized, and a major capacity-building exercise needs to be undertaken in areas of security and police forces, legal and legislative frameworks, jurisdictional and correctional systems, and so on.

We agree with the Special Adviser to the Secretary-General on the need to further strengthen international cooperation to tackle the problem of piracy. A comprehensive approach to tackling the problem has to be found in order to address this serious issue. In this context, my delegation wishes to propose the following measures.

There should be reinforced tracking of the trail of ransom money to different parts of the world, a duty that was conferred upon INTERPOL at the sixth plenary meeting of the Contact Group on Piracy off the Coast of Somalia. The beneficiaries of ransom money should be prosecuted for abetting piracy. Consideration should be given to making the conduct of naval operations under United Nations auspices the preferred option. The Somali coastline should be sanitized through identified corridors and buffer zones, and fishing vessels around the Somali coast should be tracked. National laws should be enacted as a priority to criminalize piracy as defined in the United Nations Convention on the Law of the Sea, and suspected pirates apprehended off the coast of Somalia should be prosecuted and, upon conviction, imprisoned, as required under resolution 1918 (2010). This last suggestion has been made, I believe, by other colleagues.

Criminal activities in international waters pose a serious threat to India, a country with a coastline of over 7,500 kilometres. A large volume of our trade passes through the Gulf of Aden, estimated at about $110 billion annually. Approximately 24 Indian-flagged merchant ships transit the Gulf of Aden every month. Moreover, more than 6 per cent of seafarers engaged in international shipping companies are Indian nationals. We therefore have a strong interest in ensuring the security of maritime traffic off the Somali coast and in the Gulf of Aden and the Arabian Sea.

India has been actively engaged in anti-piracy operations. The Indian navy commenced anti-piracy patrols in the Gulf of Aden in October 2008. A total of 23 Indian naval ships have been deployed in the Gulf of Aden since then. In addition to escorting Indian-flagged vessels, our navy has provided protection to ships of other countries. A total of 1,487 ships, including 1,321 foreign-flagged vessels from different countries, have been escorted by Indian naval ships in the Gulf of Aden since October 2008. Twenty-six piracy attempts have been thwarted, and no ship under Indian escort has been hijacked by pirates. We have also set up a 24/7 communication centre within the Indian Maritime Administration for coordination and facilitation in case of piracy.

Taking serious note of the recent spate of dhow piracy incidents, India has banned operation of Indian dhows in pirate-infested areas. As the piracy-prone area has expanded eastwards, the Indian navy has made additional deployments off the eastern and north-eastern Arabian Sea. The Indian navy has also deployed units to the exclusive economic zone of Seychelles and Mauritius, and its ships and aircraft routinely patrol the waters off Maldives. Following these deployments, there have been no hijack incidents in the eastern Arabian Sea since December 2010, following one or two stray incidents that suddenly occurred during a very brief period at the end of November 2010.

India, as a founding member of the Contact Group on Piracy off the Coast of Somalia, has been fully engaged in the efforts of the Group to share information, coordinate the actions of navies in combating piracy in the Gulf of Aden, raising public and merchant marine awareness, and examining legal and criminal justice issues with respect to apprehended pirates. Further, the Indian navy has proactively cooperated with other navies through the Shared Awareness and Deconfliction mechanism, and otherwise.

India will continue to contribute to international efforts aimed at increasing effective cooperation among States to tackle the problems of piracy. We also propose to actively engage in the Council's work in the follow-through to the recommendations made by the Secretary-General's Special Adviser and in ensuring the development of effective operational, legal and institutional responses to the problems of piracy.

Mr. Wang Min (China) (*spoke in Chinese*): I would like to thank the Special Adviser to the Secretary-General on Legal Issues related to Piracy off the Cost of Somalia, Mr. Jack Lang, for his briefing. I would also like to thank Assistant Secretary-General Stephen Mathias for his briefing and the representative of Somalia for his statement.

At the present time, the Somali peace process is facing multiple challenges. The security situation leaves no room for optimism. Piracy remains rampant. To address the issue of Somalia, we must treat both the root causes and the symptoms.

The Transitional Federal Government (TFG) and the international community must adopt a holistic strategy to promote, in parallel, work in the political, security, economic, development and humanitarian areas. China has consistently supported the TFG and the implementation of the Djibouti Peace Agreement. We welcome the new Cabinet established not long ago by the TFG. We hope that the TFG will continue to work for national reconciliation, a stronger security sector and a speedy completion of the tasks that remain in the transitional period.

China supports the African Union Mission in Somalia and is in favour of the United Nations playing a greater role in addressing the Somali issue. The international community must respond actively to the appeals by Somalia and the African Union by providing more assistance to Somalia.

China is of the view that the effective prosecution and imprisonment of perpetrators of acts of piracy form an important link in combating piracy in Somalia. The Special Adviser has put forward in his report (see S/2011/30) 25 proposals on combating Somali piracy more vigorously. The proposals are wide-ranging in content. As a follow-up to the Secretary-General's report issued last July (S/2010/394), the report will serve as an important reference for all parties to identify gaps that hinder the effective prosecution and imprisonment of Somali pirates, as well as to explore feasible solutions. The report warrants further study.

The United Nations Convention on the Law of the Sea and other relevant international instruments provide a basic legal framework for States to exercise jurisdiction and engage in judicial cooperation against piracy. China supports the international community on the basis of the existing international legal framework and the relevant Security Council resolutions in strengthening international cooperation on the prosecution and imprisonment of Somali pirates.

China appreciates the work of various countries in that regard, especially by coastal States. Strengthening the judicial capacity of coastal States will be critical in prosecuting and imprisoning Somali pirates. China supports efforts towards strengthening the judicial capacity of coastal States and calls upon the international community to continue to provide necessary assistance to coastal States. Moreover, China also welcomes various feasible programmes conducive to the prosecution and imprisonment of Somali pirates.

Mr. Salam (Lebanon): At the outset, allow me to thank you, Mr. President, for convening this meeting, and to thank Special Adviser Lang for his report and his valuable introductory remarks. We also thank the Assistant Secretary-General for Legal Affairs for his briefing and the representative of Somalia for his statement.

Lebanon reiterates the importance of developing a holistic approach to the situation in Somalia that does not only deal with the security situation but also supports the building of institutions and economic development in that country. We reaffirm our condemnation of acts of piracy and armed robbery, which pose a threat to international navigation and trade and obstruct humanitarian access. We also agree with the call by the African Union Peace and Security Council, in its communiqué of 15 October 2010, for the Security Council to deal with

> "the issue of piracy off the coast of Somalia in a holistic manner, with the view to effectively addressing its underlying causes and other equally serious threats which affect the livelihood and well being of the Somali people, in particular illegal fishing and dumping of toxic substances and waste off the coast of Somalia".

In that regard, we support Mr. Lang's proposal to establish a committee to investigate illegal fishing and maritime pollution.

Although the international naval presence in the region contributes to containing the problem of piracy, it does not address its root causes. Those continue to lie in the lack of security, stability, the rule of law and development in Somalia. Somali pirates are not born at sea but on Somali land. Strengthening maritime surveillance in a particular area will not be enough to stop them. The continued evolution of their methods of work and the expansion of their area of operations from the Gulf of Aden into the Indian Ocean attests to that.

Therefore, today we need to respond quickly and effectively. In that context, we welcome the report of the Special Adviser (see S/2011/30), which emphasizes the extreme urgency of the situation and the pressing need to act before we reach the point of no return. We take note of that report and would like to highlight the following points.

First, international law, and particularly the United Nations Convention on the Law of the Sea, sets the legal framework applicable to combating piracy and armed robbery at sea.

Secondly, the failure to prosecute those responsible for acts of piracy and armed robbery and the reluctance of States to incarcerate them for long periods undermine anti-piracy efforts. It is indeed alarming to learn that more than 90 per cent of pirates captured will be released without prosecution — a practice described as catch-and-release by Mr. Lang and already noted by many colleagues.

Thirdly, naval and coast guard forces are necessary in combating crimes at sea. However, the ability of Somalia is very limited in that regard. We therefore call for building and equipping Somali forces, particularly its coast guard.

Fourthly, a legal structure is needed to authorize the required executive and judicial jurisdiction over suspected pirates.

Fifthly, we encourage the United Nations to assist Somalia and neighbouring countries in delimiting their maritime zones, which would clarify jurisdictional matters among them and allow them to perform their necessary duties within their areas of authority.

We could not agree more with Mr. Lang's recognition of the need for economic and social development to create incentives that would steer local Somalis away from a piracy-based economy. The international community needs to remain one step ahead of the pirates. We therefore welcome the main recommendations in the report and support the adoption of a new Security Council resolution on this matter.

Mr. Moungara Moussotsi (Gabon) (*spoke in French*): Like previous speakers, I too would like to thank Mr. Jack Lang, Special Adviser to the Secretary-General on Legal Issues Related to Piracy off the Coast of Somalia, for his briefing. We are confident that his work will contribute to progress on this complex and sensitive question. We would also like to thank Mr. Mathias, Assistant Secretary-General for Legal Affairs, and the representative of Somalia for their statements.

By appointing Mr. Lang as the Special Adviser on Legal Issues Related to Piracy off the Coast of Somalia, the Secretary-General has both assessed the scale of the threat of piracy off the Somali coast and has shown the commitment of the United Nations to combat this phenomenon. While we await a more in-depth analysis of the report (see S/2011/30), I would like to make some comments.

First of all, my delegation considers — as is often said — that the question of piracy needs to be considered from two angles. One the one hand is the importance of setting up an inclusive judicial mechanism, and on the other is the need to tackle the question of piracy off the Somali coast in conjunction with the security threat in the interior of the country. Piracy is a shared security challenge; protecting the coasts of the Gulf of Aden from acts of piracy as well as implementing a rapid and effective crackdown on perpetrators require a coordinated international response. The establishment of legal instruments should primarily involve regional actors directly affected by the unstable situation off their coasts.

As Mr. Jack Lang clearly underscored in his report, we must strengthen both the financial and the judicial support provided to States in the region in general, and to Somalia in particular, in order to enable them to ensure the security of their territories. Strengthening Somali security capacity, adapting national legal instruments to deal with piracy and ensuring effective international cooperation are all part of such an approach.

My delegation supports the proposal by the Special Adviser for the establishment of jurisdictional provisions in Puntland and Somaliland, as well as a special Somali court. This legal framework for action should enable States in the region to take more effective steps against the phenomenon of piracy. Nevertheless, it is essential that complementary measures also be contemplated to specifically take into account the security threats within Somalia.

Whenever the topic of piracy has been addressed in the Council, my delegation has always advocated for a comprehensive strategy for resolving the Somali crisis. Guaranteeing security on the ground in Somalia calls for the imposition of a naval blockade and a no-flight zone over Somalia, as recommended by the African Union. Among other things, such a blockade would make it possible to prevent the entry of foreign elements and the theft and transfer of weapons and ammunition to armed groups, thereby leading to an end to the fighting that has ravaged the country for just over two decades.

It is also important to link the number of maritime and judicial anti-piracy initiatives with international initiatives supporting the Transitional Federal Government in its economic development efforts, especially since poverty is one of the root causes of piracy. Indeed, many pirates are ex-fishermen who became pirates because their traditional occupation disappeared as a result of industrial fishing practices off the coast.

Finally, I underscore my delegation's endorsement of Mr. Lang's position that the United Nations must take swift, strong action. For its part, Gabon will continue contributing to the consideration of the report of the Special Adviser. We reaffirm our gratitude and support to Mr. Lang for his work in seeking concrete, effective and rapid solutions in the fight against piracy in the Gulf of Aden.

The President: I shall now make a statement in my capacity as the representative of Bosnia and Herzegovina.

At the outset, I would like to thank Special Adviser of the Secretary-General Jack Lang for his report (see S/2011/30) and for his informative briefing. I also thank the Assistant Secretary-General for Legal Affairs and the representative of Somalia for their statements.

The phenomenon of piracy is a challenge that has yet to receive an adequate and effective response from the international community. Although some measures have been taken in the areas of security, judicial arrangements, prevention best practices and awareness-raising, we cannot say there has been a reduction in the number of piracy attacks off the coast of Somalia. Unfortunately, on the contrary, we can see how, over time, piracy is acquiring structured features in financial and organizational aspects. We are also concerned by the further expansion of the area threatened by piracy attacks, southwards along the coastline of Somalia and eastwards into the Indian Ocean.

Bosnia and Herzegovina strongly condemns acts of piracy and expresses its concern regarding the impact of such acts — first on regional security and, subsequently, on the global economy and international security. In that context, we share the view expressed by Special Adviser Lang that there is an urgent need to establish effective counter-piracy measures before spillover effects produce further instability in the region.

We believe that the Somalization of a solution, as Mr. Lang wrote in his report, is a valuable proposal for beginning a new phase in fighting piracy, which is evidently needed. We consider that institution-building, especially in the security sector, will make the Transitional Federal Government and regional authorities in Somaliland, and principally in Puntland, critical partners of the international community in fighting piracy.

Impunity, as most delegations that have spoken before me have stated, is a factor that leads to an increase in piracy activities. The fact that a catch-and-release method is applied in 90 per cent of cases points out the serious flaws in the international approach to combating piracy. We therefore believe that the new proposals outlined in the Special Adviser's report aimed at establishing specialized piracy courts in Somaliland and Puntland, along with an extraterritorial court in Arusha, as well as an increase in incarceration capacity in Somaliland and Puntland are a good basis for creating a new approach and instruments in counter-piracy activities.

I now resume my functions as President of the Council.

I give the floor to Mr. Lang to make some concluding remarks.

Mr. Lang (*spoke in French*): I think we have now come to the end of this debate, and I certainly do not wish to take up more of the Council's time. I would just like to say how much I personally appreciate the positive comments expressed by various speakers today. In that regard, Assistant Secretary-General Mathias comprehensively clarified the legal scope of the proposals put forward today and the way in which they dovetail with the proposals made by the Secretary-General in the Council last August. We should therefore all welcome the fact that this convergence is emerging.

I also find it positive that a strong, powerful and determined collective resolve is emerging from the Council, on behalf of the international community, to seek to defeat this dangerous and destructive criminal activity that is disrupting both economic and social activity. I therefore think that this meeting provides hope and shows that the United Nations and the Security Council in particular are determined to take a new course.

I should like to repeat what every speaker has said in their own way: we must not waste time. This race between the whole host of international forces and highly mobile, well equipped and swift pirates is at the moment being won by the pirates. In a civilized world in which national and international law continue to make progress it would be a great flaw in our laws and civilization if we were unable to prevail over this phenomenon that is spreading across the Indian Ocean.

I hope that the Council will, if possible, very quickly take into account the various statements that have been made and the conclusions put forward by the Secretary-General and in the report (see S/2011/30) I have submitted and come up with a resolution of historic importance that is firm, clear, determined and useful to the countries of the world, international organizations and the private sector in more robustly tackling piracy.

As several representative have said today, I should like to reiterate that not only is it desirable that the Council adopt a clear and firm resolution, but also that the Council — and this is its responsibility, not mine — ensure that the resolution it adopts be swiftly followed up with real, practical action on the ground. It must be clear that the world is ready to act quickly, vigorously and well.

The President: I thank Mr. Lang for his statement.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.35 p.m.

United Nations

S/PV.6474

Security Council

Sixty-sixth year

Provisional

6474th meeting

Wednesday, 26 January 2011, 10 a.m.
New York

President:	Mr. Barbalić	(Bosnia and Herzegovina)
Members:	Brazil	Mrs. Viotti
	China	Mr. Li Baodong
	Colombia	Mr. Osorio
	France	Mr. Araud
	Gabon	Mr. Moungara Moussotsi
	Germany	Mr. Berger
	India	Mr. Hardeep Singh Puri
	Lebanon	Mr. Assaf
	Nigeria	Mrs. Ogwu
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Dolgov
	South Africa	Mr. Mashabane
	United Kingdom of Great Britain and Northern Ireland	Mr. Parham
	United States of America	Ms. Rice

Agenda

Reports of the Secretary-General on the Sudan

Report of the Secretary-General on the Sudan (S/2010/681)

Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur (S/2011/22)

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The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan

Report of the Secretary-General on the Sudan (S/2010/681)

Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur (S/2011/22)

The President: Under rule 39 of the Council's provisional rules of procedure I invite Mr. Ibrahim Gambari, Joint African Union-United Nations Special Representative for Darfur, who is joining today's meeting via video teleconference from El Fasher; and Mr. Atul Khare, Assistant Secretary-General for Peacekeeping Operations.

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2010/681, which contains the report of the Secretary-General on the Sudan; and document S/2011/22, which contains the report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur.

I now give the floor to Mr. Khare.

Mr. Khare: Allow me to begin by referring to the political process for Darfur. Despite the incidents of violence in Darfur in recent months, there has been some progress in the ongoing negotiations in Doha.

In November, joint negotiating committees from the Liberation and Justice Movement and the Government concluded their work in the broad areas of power-sharing, justice and reconciliation, compensation, the return and resettlement of refugees and internally displaced persons, and security arrangements. This work has demonstrated that the parties have significant areas of common ground. However, important points of disagreement remain, particularly related to the powers of a regional authority to implement the peace agreement in Darfur and a vice-presidency post for Darfur. The mediation has made a series of proposals to address these issues and is currently planning work throughout February with all parties in Doha to achieve consensus on the terms of peace.

The 16 December decision of the Justice and Equality Movement to return to Doha and resume negotiations on a ceasefire with the Government was also a positive development. The mediation has stressed that the basis for a comprehensive and inclusive peace agreement remains a cessation of hostilities on the ground. In this regard, it has consistently urged all parties to the conflict to cease fighting and join the talks in Doha. While Abdul Wahid has not yet joined the talks, he continues consultations with his movement on the possibility of coming to Doha. Recently, he has indicated that he may send a delegation in the near future.

On 6 November, the African Union-United Nations Sudan Consultative Forum agreed to begin planning for a Darfur political process, to take place within Darfur. The Darfur political process would be based on the outcomes of the Doha process and work to build support within Darfurian communities for the key principles arising from the Doha negotiations. It has been agreed that the Darfur political process will be led by the African Union-United Nations Hybrid Operation in Darfur (UNAMID) and the African Union (AU) High-level Implementation Panel, with the support of interested stakeholders.

The credibility of the Darfur political process will depend on the steps the Government of the Sudan must take to create a conducive, enabling environment. Key aspects of an enabling environment include the protection of the civil and political rights of participants in an atmosphere where they can present their views without fear of retribution; freedom of speech and assembly to permit open consultations; freedom of movement for participants and UNAMID; and proportional and equitable participation among Darfuri interests.

At a 16 December meeting with Joint Special Representative Ibrahim Gambari, AU High-Level Implementation Panel Chairman Thabo Mbeki and the Presidential Adviser of the Government of the Sudan, Mr. Ghazi Salaheddin, it was agreed that a joint UNAMID-Government of the Sudan technical task force would be established. The task force would monitor the conditions for an enabling environment, which must be established as a prerequisite to the Darfur political process and to develop modalities for implementing that process when it is initiated. The importance of an enabling environment was again discussed on 12 January at a meeting with Joint Special

Representative Gambari, Adviser Salaheddin and United States Special Envoy Scott Gration.

We understand that various stakeholders in the Darfur peace process have expressed differing views regarding the timing and content of the Darfur political process, as well as its possible relationship to the Doha talks. The Secretary-General is currently reviewing these issues with a view to establishing a clear vision for the way forward.

The unprecedented international attention and cohesion regarding the Sudan's landmark referendum also represents an opportunity to generate renewed focus on Darfur. The situation in Darfur, as part of a broader set of centre-periphery dynamics that affect populations throughout the country, should be considered within the national framework of the Sudan and the many challenges facing the country as a whole.

I will now turn to the Secretary-General's report on the Sudan (S/2010/681) and the ongoing referendum for Southern Sudan. Since the last briefing to the Security Council on 18 January (see S/PV.6468), all ballots cast in the Southern Sudan referendum have been counted and are in the process of being verified and approved. Preliminary results are scheduled to be announced on 2 February. Barring any legal appeals, the final results will be declared on 7 February and, in the case of appeals, a week later on 14 February. Early indications of results from the Southern Sudan Referendum Commission point to an overwhelming vote in favour of secession.

As the Council is aware, the referendum in Abyei did not take place pending the outcome of negotiations on the disputed area's status between the parties to the Comprehensive Peace Agreement (CPA). I am pleased to report that, since the Council was last briefed, there have been no major incidents of violence reported in Abyei. The agreements reached by community leaders on 13 Janauary and between the Ministers of Interior of the Government of the Sudan and the Government of Southern Sudan on 17 January, relating to migration and security in the area, have largely held and are being gradually implemented.

The agreed deployment of two additional battalions of joint integrated units to provide security in the area is expected to be completed by tomorrow, 27 January. Nevertheless, with seasonal migrations scheduled to resume shortly, tensions on the ground between the Misseriya and Ngok Dinka communities remain high. The United Nations Mission in the Sudan (UNMIS) continues its efforts to deter a return to violence through the increased deployment and patrols of its troops, but in the absence of a permanent settlement of the status of Abyei, the resumption of violence remains an ever-present threat. In this respect, we are encouraged that President Al-Bashir and First Vice-President Kiir are scheduled to meet again tomorrow, 27 January, to resume discussions on Abyei, with the support of the AU High-Level Implementation Panel chaired by President Mbeki.

UNMIS and the United Nations country team have also redoubled their efforts to engage with the authorities in Abyei and Southern Kordofan to ensure the safety and well-being of Southern returnees caught in the violence of the past weeks. On 22 January, the movement of convoys in and around the Abyei area resumed with protection from local authorities, and no incidents of violence were reported.

The many challenges to stability in the North and South require a commitment by the authorities to inclusive political participation. In this context, the Government of Southern Sudan continues to make progress on its road map for political accommodation, reaching out to other political parties and forces, including those that rebelled against the Sudan People's Liberation Movement after the April elections. On 22 January, Vice-President Salva Kiir announced the formation of a constitutional review committee, as called for during the all-party conference of October 2010.

While President Al-Bashir's meeting on 22 January with the National Unionist Party, the largest opposition party in the North, to discuss future political arrangements is a step in the right direction, we are concerned by reports from Khartoum of the arrest of opposition leaders and other activists. The Government of the Sudan will, I hope, continue on the path of democratic transformation in the spirit of the CPA.

The ongoing popular consultation processes in Southern Kordofan and Blue Nile states continue to make steady, albeit slow progress. It is crucial that these processes, mandated by the CPA, proceed in a transparent way and address the complex political and security issues, as well as popular grievances, in these states. Public hearings commenced in Blue Nile state on 14 January and continue in a relatively positive atmosphere. A new timetable for elections in Southern

Kordofan state has been announced, with registration set to begin on 24 January. It is hoped that both processes can be completed before the end of the CPA interim period. UNMIS will continue to monitor progress and provide assistance where appropriate.

While the referendum passed without major incident, the parties must refocus their efforts on concluding negotiations over post-CPA arrangements. They continue to meet at all levels and have committed themselves to reconvening the negotiation process early next month. We are confident that the parties, through the mediation efforts of President Mbeki, will make swift progress in the period ahead. We also believe that stability in the North and the South will be mutually reinforcing and expect the international community to recognize the courage and sacrifice of both leaderships as we enter the final days of the CPA's interim period.

In order to support the efforts of both UNMIS and UNAMID and take forward the United Nations key priorities, the Secretary-General will attend the African Union Summit in Addis Ababa on 30 and 31 January, where, alongside African Union Chairman Jean Ping, he will participate in a high-level meeting on regional and international support for the Sudan. We anticipate that this will be an opportunity to harness the unprecedented international attention and goodwill towards Sudan and assist the parties in meeting the many challenges facing the country today.

The President: I thank Mr. Khare for his briefing.

I now give the floor to Mr. Gambari.

Mr. Gambari: I would like to express my appreciation for this opportunity to brief the Security Council on the latest developments in Darfur. I also take this opportunity to welcome the new members of the Security Council — Colombia, Germany, India, Portugal and South Africa — and to pledge the same cooperation of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) with them as we extend to the other members of the Council.

As Under-Secretary-General Le Roy highlighted during his briefing to the Council on 6 January, we are deeply concerned at the renewed violence that took place in December in Northern and Southern Darfur as a result of the deteriorated relations between the Government and Sudan Liberation Army-Minni Minawi (SLA-MM). Since then, UNAMID and the humanitarian community have worked vigourously to address the humanitarian and protection consequences of these clashes, which have included the displacement of an estimated 43,000 people, 15,000 of whom have gathered around UNAMID team sites in Shangil Tobaya, Khor Abeche and Shaeria.

While camps for internally displaced persons (IDPs), such as Zam Zam and Dar al-Salam, have registered some new arrivals as a result of this conflict, the bulk of new displacement is expected to be temporary. In that regard, UNAMID forces have maintained a robust presence and have increased patrolling in the villages affected by the recent fighting so as to create a security environment that would allow for the early and safe return of recently displaced people.

Unfortunately, in what seems to be a continuation of the events of December, violence between the Government of the Sudan and SLA-MM re-erupted as recently as 24 January in the village of Thabit, located along the road between El Fasher and Shangil Tobaya. UNAMID has also received reports of an operation on the same day by the Sudanese Armed Forces on the village of Abu Zerega, in the same area. On 25 January, fighting continued in the general area between El Fasher and Shangil Tobaya. Reports received indicate that elements of the Sudan Liberation Movement led by Abdul Wahid al-Nur (SLM-AW) and the Liberation and Justice Movement had joined the SLA-MM in those clashes. The UNAMID team site in Shangil Tobaya reported sounds of artillery fire. The Government blocked the main road between El Fasher and Shangil Tobaya to all traffic.

Accordingly, UNAMID and the humanitarian community have not yet been able to access the area; but we will persist in our efforts to be able to verify the situation, and in particular the impacts of the ongoing clashes on the civilian population. As of this afternoon here in Darfur, fighting in the area has subsided, but tensions persist and a resumption of violence between the belligerent parties is possible.

While I am pleased to report to the Council that the UNAMID staff member who was held hostage for 91 days was released unharmed on 5 January, I am most saddened by the fact that, since then, we have suffered yet another hostage-taking incident in Darfur. On 13 January, three Bulgarian air crew members working for a contractor of the United Nations

Humanitarian Air Services (UNHAS) were abducted by unidentified armed elements upon landing in Um Shalaya, West Darfur. The consequent decision by UNHAS to suspend flights to unsecured landing sites in West Darfur is likely to impact negatively on access to deep-field locations. As a mitigating measure, UNAMID will provide security at helicopter landing sites at our team sites in order to minimize the disruption to humanitarian operations.

Meanwhile, I am pleased to report to the Council that the Mission is taking further steps to improve the situation of access in Darfur. In a meeting with UNAMID military and police leaders on 4 January, I issued firm instructions that henceforth we would adopt a more robust posture and no longer create the impression of seeking permission for movement within our area of responsibility. I reinforced that message in my meeting in Khartoum on 6 January with Presidential Adviser Ghazi Salaheddin, who holds the Darfur portfolio and who reconfirmed to me the Government's policy of allowing UNAMID freedom of movement throughout Darfur. Just two days ago, I repeated the same message to the Walis of South Darfur and West Darfur.

Since then, UNAMID supply and logistics convoys to all team sites, as well as humanitarian convoys to Khor Abeche, Shaeria and Shangil Tobaya, have faced no impediments. On other occasions, we were able to push our way through due to the robust posture and persistent negotiations by the patrol commanders, as exemplified on 23 January when a UNAMID formed police unit patrol team and an integrated UNAMID-United Nations country team were dispatched to the Zam Zam IDP camp, close to El Fasher, to verify the situation during and after a cordon-and-search operation by the Government inside the camp. They were initially stopped outside of Zam Zam by military personnel of the Government of the Sudan, but shortly thereafter were allowed to proceed. We insisted on proceeding.

However, I also have to report that in other instances we have not yet been fully successful. For example, as of today, humanitarian agencies have not secured access to Dar al-Salam, in North Darfur, which is another location of recent fighting. As recently as 23 January, Government military personnel denied access to a UNAMID verification patrol that was about to enter Dar al-Salam. This issue has been raised again with Government authorities, and we are awaiting their response.

I have been informed that the Council has expressed interest in the issue of access to Jebel Marra. I would like to address this issue and give the Council an overview of the situation there. Jebel Marra is a mountainous region at the midpoint between three Darfur states, namely, North, South and West Darfur. Significant portions of Jebel Marra have been cut off from humanitarian and UNAMID access since February 2010 — slightly less than a year ago — due in part to fighting, primarily between the Sudanese Armed Forces and forces of the Sudan Liberation Movement led by Abdul Wahid al-Nur. On repeated occasions throughout 2010, UNAMID and humanitarian agencies attempted to gain access to points in Jebel Marra in order to assess reports of fighting and, principally, to deliver aid to affected communities. On nearly all occasions, those attempts were prevented by SLA-AW and Government forces.

However, more recently, UNAMID and some agencies have gained access to certain areas within Jebel Marra. For example, on 13 November, UNAMID conducted two patrols to the eastern and western parts of Jebel Marra, including to Guldo and Golo, on the western side, and Tarny, Gosdor and Turty, on the eastern side. On 11 December, another verification patrol visited Guldo and Golo and assessed the situation as generally calm.

Planned patrols to Eastern Jebel Marra from Sector South were delayed due to the outbreak of fighting between Sudanese Armed Forces and SLA-MM in Khor Abeche. However, on 13 January, a long-range patrol from Sector South reached Deribat through a route controlled by the Government. More of these patrols are planned in the near future so as to further expand access in the area.

Meanwhile, Eastern Jebel Marra remains a focus of UNAMID and country team efforts to open space and allow for the delivery of emergency relief supplies. On 23 December, a joint UNAMID-UNICEF child demobilization mission visited the area of Golombei. On 11 January, a joint UNAMID-UNICEF-World Health Organization mission reached Kaguro, in the Jebel Si area, delivering vaccines and medical supplies for about 3,000 children as part of an accelerated routine immunization campaign. The UNAMID team site in Sortony, North Darfur, also provides assistance to UNICEF in its efforts to open additional water bore holes in the eastern parts of Jebel Marra.

UNAMID therefore continues to work jointly with United Nations agencies to further expand access to eastern Jebel Marra. Discussions are ongoing to identify additional locations for a possible permanent presence by UNAMID and humanitarian actors. The Mission is also continuing to streamline procedures to speed up flight clearances.

While UNAMID will continue to patrol into Jebel Marra, it is important to underscore the need to balance our efforts with regard to Jebel Marra with the ongoing protection requirements following the fighting in Khor Abeche, Shangil Tobaya and Shaeria, as well as the required preparedness to react to potential hotspots along the border with Southern Sudan and elsewhere in Darfur. No doubt, Jebel Marra is an important area in Darfur that will remain a priority for UNAMID efforts. But I want to remind members of the Council that there are challenges throughout Darfur that all require our presence and full support.

In that regard, the current report (S/2011/22) on UNAMID details the overall protection-of-civilians strategy for the Mission. UNAMID's protection strategy identifies objectives and tasks to engage with and assist the Government to carry out its responsibilities in accordance with its international obligations.

Some of the key priorities of that strategy are for the Mission to not only maintain a robust and integrated presence in the areas of potential hostilities in order to deter violence — and deterrence is key — but also provide direct protection, secure humanitarian space, and monitor and provide accurate and verified reporting based on engagement with all sides. Furthermore, in an effort to continuously improve our operational preparedness, we have reviewed our initial response to the fighting in Khor Abeche on 10 and 11 December 2010 and will incorporate lessons learned into our operational procedures in the future.

As I have stated on previous occasions, including in remarks to this Council, it is my belief that in order to achieve lasting stabilization in Darfur, we must seize all opportunities to build on positive trends in order to allow displaced populations to regain a sense of normality in their lives and move beyond aid dependency. I have always said that we have to refrain from regarding as normal the abnormal situation of having more than 1.8 million people in IDP camps. In that regard, I recognize the improved dialogue and collaboration between central and state-level authorities, humanitarian workers and UNAMID through the reactivation of collaborative mechanisms, such as the High-level Committee on Darfur and state-level committees.

If any efforts in that regard are to be fruitful, however, the fighting in Darfur must stop, and stop immediately. The renewed clashes over the past two days have very likely caused new displacements and suffering of the civilian population, which has suffered too much already. The full extent of the impact will become clear in the coming days.

I have engaged the Government and SLA-MM, calling for restraint and an immediate cessation of hostilities. I would like to take this opportunity to reiterate that call and to urge those members of the Council who have influence to exercise it so that we can bring about a cessation of hostilities sooner rather than later.

I am sorry that I have spoken for a bit longer than I had planned, but it has been a while since I have spoken to Council members directly on behalf of UNAMID.

The President: There are no further speakers inscribed on my list. I should now like to invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 10.45 a.m.